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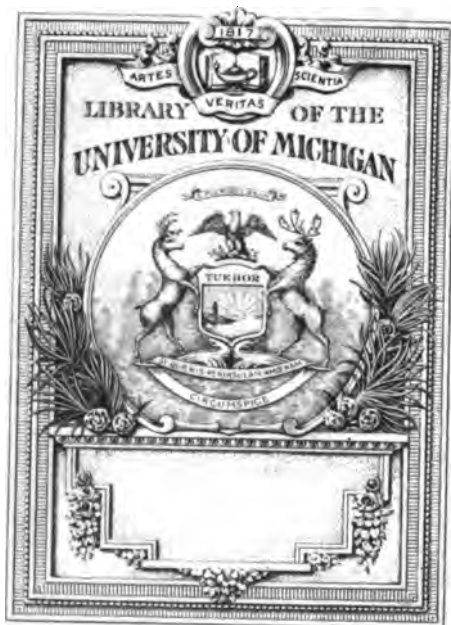
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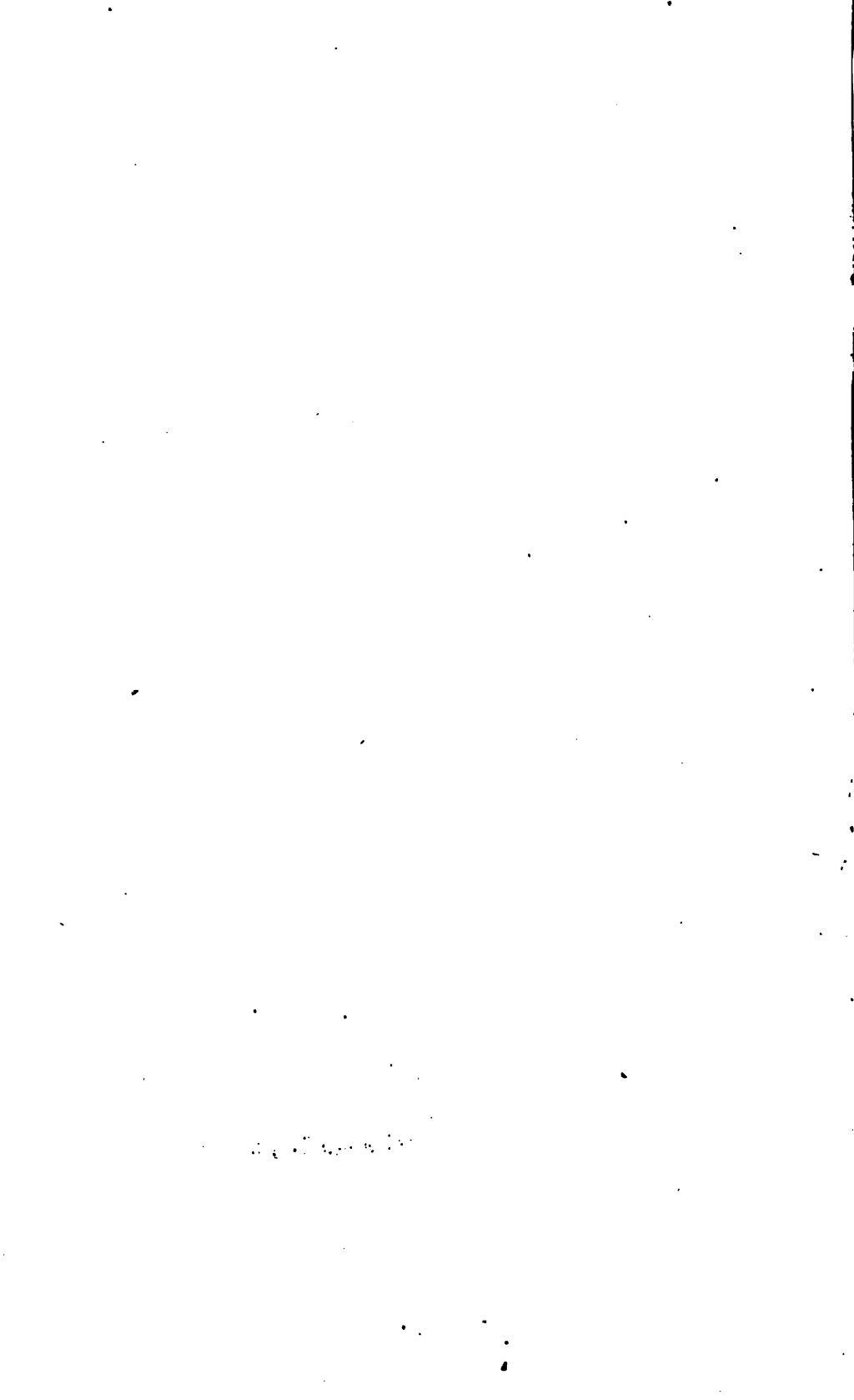




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**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF NEW-YORK;**  
**AT THEIR**  
**SEVENTY-THIRD SESSION,**

**BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY,  
ON THE FIRST DAY OF JANUARY, 1850.**

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# JOURNAL OF THE SENATE.

STATE OF NEW-YORK;  
SENATE CHAMBER IN THE CITY OF ALBANY,  
TUESDAY, JANUARY 1, 1850.

PURSUANT to the sixth section of the tenth article of the Constitution of the State of New-York, designating the first Tuesday of January in each year for the time of the meeting of the Legislature, the Hon. GEORGE W. PATTERSON, Lieut. Governor, and the following Senators from the several districts of the State, appeared in the Senate, to wit :

<i>District number one,</i> .....	William Horace Brown.
<i>District number two,</i> .....	John A. Cross.
<i>District number three,</i> .....	Richard S. Williams.
<i>District number four,</i> .....	Clarkson Crolius.
<i>District number five,</i> .....	James W. Beekman.
<i>District number six,</i> .....	Edwin D. Morgan.
<i>District number eight,</i> .....	John Snyder.
<i>District number nine,</i> .....	James C. Curtis.
<i>District number ten,</i> .....	Marius Schoonmaker.
<i>District number eleven,</i> .....	Stephen H. Johnson.
<i>District number twelve,</i> .....	Thomas B. Carroll.
<i>District number thirteen,</i> .....	James M. Cook.
<i>District number fourteen,</i> .....	Thomas Crook.
<i>District number fifteen,</i> .....	William A. Dart.
<i>District number sixteen,</i> .....	George H. Fox.
<i>District number seventeen,</i> .....	Sidney Tuttle.
<i>District number eighteen,</i> .....	John Noyes.
<i>District number nineteen,</i> .....	Charles A. Mann.
<i>District number twenty,</i> .....	Asahel C. Stone.
<i>District number twenty-one,</i> .....	Alanson Skinner.
<i>District number twenty-two,</i> .....	George Geddes.
<i>District number twenty-three,</i> .....	Levi Dimmick.
<i>District number twenty-four,</i> .....	William Beach.
<i>District number twenty-five,</i> .....	Henry B. Stanton.
<i>District number twenty-six,</i> .....	George B. Guinnip.
<i>District number twenty-seven,</i> .....	Samuel Miller.



<i>District number twenty-eight, . . . . .</i>	Alonzo S. Upham.
<i>District number twenty-nine, . . . . .</i>	Charles Colt.
<i>District number thirty, . . . . .</i>	Charles D. Robinson.
<i>District number thirty-one, . . . . .</i>	George R. Babcock.
<i>District number thirty-two, . . . . .</i>	Robert Owen, Junior.

The Senators present having taken and subscribed the constitutional oath of office, the Senate proceeded to the election of clerk; and a ballot being had, Mr. Cook and Mr. Guinnip acting as tellers, upon the votes being counted, it appeared that William H. Bogart had received 17 votes, and Darius A. Ogden 14 votes.

William H. Bogart having received a majority of all the votes cast, was declared duly elected to the office of clerk.

The Senate then proceeded to the election of a sergeant-at-arms, and a ballot being had, and the votes being counted, it appeared that George W. Bull had received 17 votes, and John D. Lawyer 14 votes.

George W. Bull having received a majority of all the votes cast, was declared duly elected to the office of sergeant-at-arms.

The Senate then proceeded to the election of door keeper, and a ballot being had and the votes being counted, it appeared that Ransom Van Valkenburgh had received 17 votes, and Martin Miller 14 votes.

Ransom Van Valkenburgh having received a majority of all the votes, was declared duly elected to the office of door keeper.

The Senate then proceeded to the election of assistant door keeper, and a ballot being had and the votes counted, it appeared that George A. Loomis had received 16 votes, Hiram Allen 14 votes, and Ransom Van Valkenburgh 1 vote.

George A. Loomis having received a majority of all the votes, was declared duly elected assistant door keeper.

The officers elected being in attendance, were duly sworn, and subscribed the constitutional oath of office.

Mr. Geddes then offered for the consideration of the Senate the following concurrent resolutions, which by consent of the mover thereof were laid on the table, to wit:

*Resolved,* (if the Assembly concur,) That as the Federal Constitution was formed and adopted expressly to secure the blessings of liberty to the people of the United States, and their posterity, our Senators in Congress are hereby instructed and our Representatives are requested to use their best efforts to procure the passage of laws that will effectually and forever put an end to the slave trade in the District of Columbia.

*Resolved,* (if the Assembly concur,) That the determination indicated by the governors' messages, and the resolutions of the legislatures of various of the slave holding states, and by the Representatives of such states in Congress, to extend domestic slavery over the territory acquired by the late treaty of peace with the Republic of Mexico, we feel bound to oppose, by all constitutional means, and our Senators in Congress are hereby instructed and our

Representatives are requested to resist all attempts to yield to slavery any part of such territory, however small, and by whatever pretence of compromise.

*Resolved*, (if the Assembly concur,) That the territory lying between the Neuces and Rio Grande, and that part of New Mexico lying east of the Rio Grande, is the common property of the United States, and that our Senators in Congress be instructed and our Representatives requested to use their best efforts to preserve the same as such common property, and to protect it from the unfounded claims of the state of Texas, and prohibit the extension over it of the laws of Texas.

*Resolved*, (if the Assembly concur,) That the Legislature of the State of New-York, has learned with great satisfaction, that the people of California have adopted a constitution which is entirely in accordance with the spirit of the free institutions of our country, and our Senators in Congress are hereby instructed, and our Representatives requested to aid in the passage of such laws as may be necessary to admit that state into the Union.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward copies of the foregoing resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Geddes,

*Ordered*, That the said resolutions be printed.

On motion of Mr. Cook,

The Senate then adjourned until 11 o'clock to-morrow morning.

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### WEDNESDAY, JANUARY 2, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The Journal of yesterday was read and approved.

*Ordered*, That Mr. Cook and Mr. Stanton be appointed a committee to wait upon his excellency the Governor, and inform him that the Senate are convened and ready to proceed to business.

*Ordered*, That Mr. Geddes and Mr. Curtis be a committee to wait upon the Assembly with a like message.

On motion of Mr. Cross,

*Resolved*, That the Clerk be, and is hereby directed to invite the clergymen of this city having charge of congregations, to open the daily sittings of the Senate with prayer, in such order as may be most convenient for themselves.

On motion of Mr. Beekman,

*Resolved*, (if the Assembly concur,) That the joint library committee to be appointed under the resolution of April 21, 1840, shall consist of three member of the Senate and five members of the Assembly.

On motion of Mr. Morgan,

*Resolved*, That the Clerk of the Senate be requested to furnish the Lieut. Governor and each Senator with such newspapers as they may severally direct, the expense of which shall not exceed that of two daily papers.

On motion of Mr. Babcock,

*Resolved*, That when the Senate adjourns it will adjourn to meet daily at 11 o'clock A. M., and that it will continue to meet at that hour until otherwise ordered.

Mr. Cook, from the committee appointed for that purpose, reported that they had waited upon the Governor and delivered the message of the Senate, to which the Governor was pleased to say, that as soon as he should receive a message from the Assembly that they are organised, he would communicate to the Senate by message.

On motion of Mr. Cook,

*Resolved*, That the rules and orders of the Senate be referred to a select committee for revision, and that until the report of said committee be finally acted upon, the rules and orders of the last session shall be in force.

*Ordered*, That Messrs. Cook, Guinnip and Beekman, be such committee.

Mr. Geddes, from the committee appointed for that purpose, reported that they had waited upon the Assembly and informed them that the Senate were organised and ready to proceed the business.

On motion of Mr. Geddes,

*Resolved*, That there be appointed a standing committee of this Senate upon the manufacture of salt.

On motion of Mr. Cook, and by unanimous consent,

*Resolved*, (if the Assembly concur,) That the joint rules of the Senate and Assembly which were in force at the last session of the Legislature, be adopted for the government of the two houses.

On motion of Mr. Upham,

*Ordered*, That the Senate take a recess until 12 o'clock M.

The Senate having again convened,

A message was received from the Assembly, delivered by Mr. Godard and Mr. Pruyn, informing that the Assembly were organised and ready to proceed to business.

The President having announced the reception of said message, a message from the Governor, delivered by his private secretary, Robert H. Morris, was received, and read in the words following, to wit :

*Fellow Citizens of the Senate and Assembly :*

In a review of the condition of the State, during the year which has closed, while there are many causes of abundant thankfulness, it is not permitted to me to indulge in congratulations upon the continuance to us as a people, of the blessings of general public health. The sovereign Ruler of the universe, in His wisdom, has seen fit during the past season, to visit many portions of the State with a malignant disease, which has swept away thousands of our fellow-citizens. We have enjoyed too many of the blessings which a bountiful Providence has vouchsafed to us, not to submit with resignation to such dispensations as His wise purposes may bring upon us, and we may now, with reason, be thankful that the scourge has ceased to exist within our State. The progress and the ravages of this mysterious disease, suggest the necessity of the exercise of your duties, as the guardians of the public health, to interpose, so far as human agency may avail, whatever legislative enactments may be efficient to guard against the re-appearance of this pestilence, to investigate its history, and its nature, and in the event of its return, to mitigate its severity.

Upon the outbreak of the Asiatic Cholera within our State, in pursuance of the authority conferred by an act of the Legislature, passed at the last session, I issued a proclamation on the fifth day of June last, reviving and continuing in force for one year from that date, the "Act for the preservation of the public health," passed June 22, 1832. Under this act, boards of health were organized in various parts, if not throughout the State, and the sanative and precautionary powers conferred by the act have been found efficacious in removing many of those causes which have been supposed to attract and to fix this disease, whose nature and whose course have been so subtle, so mysterious, and so erratic as to baffle the investigations of science.

It is now nearly eighteen years since it made its first appearance on this continent. Within that period it has three times overspread the whole breadth of the land, and while it has claimed its thousands upon thousands of victims, much remains to be learned of its nature, its origin, its course, and its proper treatment. The devotion of medical men to the cause of humanity, and their frequent gratuitous attention, and constant self-sacrificing privations for the alleviation of human suffering, preclude the idea that the continued absence of accurate and of acknowledged information, is the result of any want of skill or of attention on their part. It proceeds rather from the want of an accurate combination of reliable facts, within the experience of the individual members of the medical profession.

No subject more universally affects all classes, and all members of the community, than that of the public health. I therefore earnestly request your attention to the existing laws on this subject, and suggest the propriety of their careful review and amendment, especially with a view to secure the benefit of the combined experience of scientific and learned men, throughout the State, with respect to the

origin, the causes, the progress and the treatment of all malignant or infectious diseases.

It will also become important to consider the powers granted to the municipal and local authorities for the prevention and removal of nuisances, and for the prohibition of offensive and deleterious occupations, within thickly inhabited districts. These powers require enlargement, and should be conferred permanently. It is by no means improbable that the epidemic which has lately visited us may return. In this event, these powers may be essential to mitigate the severity of the visitation. I have been informed that the act of the last session authorizing the revival of the act of 1832, has been judicially declared to be unconstitutional. This decision may render necessary a confirmation of the various important sanative regulations enforced in different parts of the State, as well as a new grant of power, under which they may be exercised, without the objection which is understood to have been made to the form in which the act of the last winter proposed to confer them.

It may also be well to consider whether the time has not arrived, when the State is called upon to contribute its aid more efficiently than it has hitherto done, to advance the cause of Medical Education. Every inhabitant of the State, at some time or other, feels the need of the physician, and is interested that he should be learned and skilful.

The reports of the Comptroller, and of the Commissioners of the Canal Fund, will be shortly laid before you, and will present in detail a statement of the financial condition of the State, and will exhibit most gratifying evidences of the public confidence in the credit of the State, and in the management of its financial concerns. I refer you to these reports for details and for particular statements.

At the close of the fiscal year, ending on 30th of

September last, the General Fund debt amounted to,.....	\$6,389,693 32
The canal debt,.....	16,505,345 67

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Total "direct" debt,.....	\$22,895,038 99
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Toward the payment of which debt there was on hand,—

A surplus of the General Fund Debt Sinking Fund of,.	\$13,515 16
A surplus of the Canal Fund Debt Sinking Fund of,...	200,877 01

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	\$214,392 17
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Included in the amount of canal debt above stated is the sum of \$90,822, which was payable prior to the close of the fiscal year, but had not then been presented for redemption. The interest on this had ceased from the time when it became payable; the funds for its redemption being on hand awaiting the call of the holders of the stock. Since the close of the fiscal year, \$77,917 of this amount have been redeemed.

The revenue of the General Fund, exclusive of the annual appropriation of \$200,000, from the surplus canal revenues, made by the Constitution, and including a temporary loan to the treasury of \$15,000, was, .....		\$792,451 69
The canal revenues were, .....		3,442,906 62
Aggregate revenue, .....		<u>\$4,235,358 31</u>

The payments on account of the General Fund during the year, amounted to \$842,228.49, leaving a surplus of the revenue on hand, on 30th September, of \$113,279.22.

The payments out of the canal revenues were:

1. Expenses of collection, superintendence and ordinary repairs, .....	\$685,803 91
2. Appropriations made by article 7 of the Constitution, toward the Sinking Funds, and to defray the necessary expenses of the government, .....	1,850,000 00
Total payment, .....	<u>\$2,535,803 91</u>

This amount of payments deducted from the canal revenues of the year, leaves the sum of \$907,102.71 applicable to the completion of the Erie canal enlargement, the Genesee Valley and Black River canals.

Notwithstanding the prevalence, during nearly the whole of the past season, of an epidemic disease, which greatly interrupted all commercial business, and diminished the amount of transportation on the canals, the receipts from tolls, &c., during the past year show an increase of nearly \$225,000 over the receipts from the same source during the preceding year; while the fact that the canals were in excellent condition, and that the expenses of collection, superintendence and ordinary repairs are nearly \$170,000 less than during the preceding year, is strong evidence of the economy, skill, and good management which have been infused into this department of the public service, under the direction of the Commissioners in charge during the year.

The General Fund debt exceeds the amount stated last year, by the sum of \$400,000. \$385,000 of this amount constitute the sum directed by chapter 225 of the laws of the last session, to be paid to the use of the Canal Fund, to repay the principal and interest of the amount stated to have been paid from the Canal Fund to the General Fund after the 1st of June, 1846, beyond the amount limited by the Constitution. The object of the act authorizing this re-payment, was to effect an adjustment between the two funds, in order to conform their respective actual amounts to the amendments which the Constitution made to the previously existing laws, and which amendments related back to the 1st June, 1846, although not adopted until some months subsequently. The remaining \$15,000 of the above

sum, were borrowed in pursuance of chapter 188 of the laws of 1849, for the building of the State Arsenal, and is to be reimbursed from the avails of the sale of the land in the city of New-York heretofore occupied for the arsenal.

The annual interest on the General Fund debt, now amounts to \$354,829.86, while the annual amount set apart by the Constitution from the surplus revenue of the canals, as a Sinking Fund to be applied to the payment of the interest and principal of this debt, is but \$350,000; showing a deficiency to meet the interest in each year from this appropriation of \$4,829.86, which must be paid out of the revenues of the fund; throwing another burthen upon the fund, and presenting a strong admonition for the necessity of economy and discretion in the amounts and objects of legislative appropriations. With prudence in this respect, the revenues of the fund it is thought will be fully adequate to meet the current and legitimate drafts upon them.

Of the canal debt, \$3,140,819.34 will become due prior to January, 1856. The avails of the canal debt Sinking Fund will be sufficient to meet this amount, as the surplus for the years 1851 and 1852 can be arranged to meet the loans falling due in 1851, and no further loan on the credit of the fund will be required to meet the stocks now outstanding until the 1st January, 1856, when \$4,000,000 will become due.

On the 1st of July last, \$2,149,000 of the canal debt fell due; all of which, with the exception of \$87,000, bore interest at seven per cent. The appropriations made by the Constitution from the surplus revenues of the canals to the Sinking Fund, not being sufficient to retire the canal debt as fast as it falls due, the 5th section of the 7th article of the Constitution, authorizes loans upon the credit of the Sinking Fund for this purpose. In pursuance of this authority, and under chapter 216 of the laws of 1848, \$1,739,024.76 were borrowed in June last, redeemable in July, 1865. A loan has also been effected during the year, under the 10th section, of article 7, of the Constitution, and in pursuance of chapter 228 of the laws of 1849, to the amount of \$50,000 for extraordinary canal repairs. And a further loan has also been negotiated, on the credit of the Sinking Fund, under chapter 232, of the laws of 1849, for the purpose of discharging the claims against the State, for damages and awards due prior to 1st June, 1846; which, although not then liquidated, constituted a part of the canal debt at that date, for the payment of which, the 1st section of article 7 of the Constitution, creates the Sinking Fund.

These several loans bear interest at six per cent, and it may be remarked with just pride and satisfaction, in contemplating the high credit of the State, that these loans, running for fifteen and sixteen years, respectively, have yielded an average premium of  $11\frac{7}{8}\%$  per cent.

A law passed last winter authorized the borrowing of a sum of money to repay to the city of Albany, certain expenses incurred for excavating and cleaning out the basin, opposite to that city, at the termination of the Erie and Champlain canals. The necessity for

borrowing this money, will be obviated, if the Legislature shall think proper to direct the application to the repayment contemplated by the act referred to, of the premiums received on the loan of \$1,739,024.76 effected last summer, which amount to \$207,954.56.

The enlargement of the Erie canal, and the completion of Black River and Genesee Valley canals, are progressing as rapidly as consists with the limited appropriations for those objects under the Constitution. In the spring of 1860, 122  $\frac{2}{3}$  miles of the enlarged Erie canal, and 415 enlarged structures will be in use; being an addition of 13 miles, and of 47 structures during the year.

Of the Black River canal, 34 miles are finished, and ready for navigation and will be open for use with the other canals next spring.

Of the Genesee Valley canal, 36 miles beyond its present termination are in such state of forwardness, that they can be brought into use in the course of the next season.

The appropriation made by the last Legislature for improving the upper waters of the Hudson river, has been judiciously applied, and will have the effect of opening new tributaries of revenue to the Champlain canal, as well as new channels of approach to a large and hitherto secluded region, rich in the products of the mines and the forest, and which, until recently, had received but little if any aid from the State toward the development of its resources.

The condition, on 30th September last, of the three funds whose revenues are applied to purposes of education, was as follows :—

	Capital.	Revenue.	Payments.
Com. School Fund,...	\$2,243,563 36	\$284,903 76	\$244,407 14
Literature Fund,.....	265,966 78	42,089 96	43,436 64
U. S. Deposit Fund,.	4,014,520 71	256,934 93	264,602 58

The adoption by the people at the last annual election, of the act to establish free schools throughout the State, will effect a most important change in the system of common school education. Under this law, the common schools are to be free to all persons over five and under twenty-one years of age. On the first day of July last, there were 11,191 organized school districts in the State; being an increase of 570 over the number reported last year; and the number of children taught in the common schools during the year, was 778,309, being an increase of 2,586 over the preceding year. There are 1893 unincorporated and private schools in the State, comprising 72,785 pupils. The aggregate amount of public money received by the several common school districts, from all sources, during the year, was \$846,710.45. Of this sum, \$626,456.69 have been apportioned for the payment of teachers' wages. In addition to which, \$489,696.63 were raised in the several districts on rate bills for the same object, making an aggregate of \$1,143,401.16 expended for teachers' wages during the year ending 1st January, 1849.

The whole number of volumes in the district libraries, is 1,409,154; 70,306 volumes having been purchased during the year, and \$93,-



104.82 having been expended for district libraries and school apparatus.

Of the schools before mentioned, 35 are for colored children, in which upwards of 4000 children have been taught, at an aggregate expense of \$5,016.57; of which \$2,149.60 were contributed on rate bills by those sending the children to school. Considering the usually very limited means of our colored population, this large proportionate contribution voluntarily paid by them, shows a most commendable desire, on their part, to secure to their children the benefits of education.

The Report of the Superintendent of Common Schools, will probably suggest some amendments to be made to the existing laws. I trust that they will be such as will commend themselves to your favorable consideration.

The Normal School was removed, on the 31st of July last, to the large and commodious edifice which the State has recently erected for its use, at a cost of \$25,000. The benefits resulting from this institution, are fully justifying the warmest anticipations of its friends, and are making themselves manifest in the improvement already effected among the teachers of Common Schools. The whole number of pupils admitted to the institution since its organization, has been 1129; of whom 428 have graduated, nearly all of whom are now engaged in the duties of common school teachers. The present number of pupils is 217.

A proposition will, as I am informed, be made to you to authorize the instruction at this school of a limited number of Indians, in the hope, by this means, of introducing a higher order of education and of civilization among the small remnants of the Aboriginal race which are left within our borders. I solicit for this proposition your attentive and favorable consideration, as a measure not only prompted by the dictates of humanity and benevolence, but demanded alike by considerations of high policy, and upon principles of justice toward a class of our population, who, from having once been the lords of our soil, and the founders of a beautifully simple and essentially republican government, have gradually wasted before the advances of the white race, and have dwindled in energy and in numbers, and have sunk into a state of tutelage which demands the fostering care of the Government.

In pursuance of a concurrent resolution of the Legislature, passed on the 6th of April last, I appointed a board of commissioners to mature a plan for the establishment of an Agricultural College and Experimental Farm, and to prepare a statement of the probable expense of such an institution, and a detailed account of the course of studies and plan of operations recommended.

The board entered zealously into the views of the Legislature, and has gratuitously devoted much time and labor to advance the important object contemplated in the passage of the resolution. I submit herewith their report. It is eloquent, and powerfully argues in behalf of the advancement of agricultural science. It is not improbable that differences of opinion will exist with regard to the details, and to the

extent and variety of the branches of knowledge which it is proposed to embrace within the course of instruction. But I most earnestly hope that no such differences, and that no other cause, may prevent the establishment and the endowment, upon a wise and comprehensive system, of an institution so beneficent in its design, and so promising of enduring and beneficial results, as a school for instruction in practical and scientific agriculture, and in the mechanic arts. There is a growing interest on the part of the people in the advancement of agricultural science. The Fair of the State Society, held at Syracuse, in September last, was attended by a larger number of persons than had ever before been assembled on a similar occasion in this State. And the exhibition of the various implements and products afforded a gratifying evidence of the success of this society, in the advancement of the great objects which it aims to accomplish.

The nature of the circulation issued by banks, as the representative of the precious metals, often forces it upon those who are incapable of exercising a discrimination as to its value, or whose necessities compel them to forego that exercise. Our laws have, therefore, provided safeguards for its integrity and its redemption; and the paper currency of our state may be regarded as healthy and sound. Some further legislation is deemed advisable for the prevention of abuse in the organization under the General Law, of institutions, designed rather to profit from the mere issue of notes, than to furnish banking facilities to the business community. The time will soon arrive when it will become necessary to consider whether the securities required by existing laws, to be hypothecated for the redemption of the circulating bank notes, will be sufficient in amount to furnish a basis for the circulation that will be required to be issued upon that pledge, when the charters of the several incorporated banks shall expire, and they shall be brought under the provisions of the General Law. The operation of the Sinking Funds is gradually but certainly withdrawing our State Stocks, and will eventually render necessary the substitution of some other securities. The Report of the Comptroller will present some important suggestions with reference to these matters, to which I solicit your careful attention.

The large influx of the precious metals, which is pouring in from the Pacific regions, is adding rapidly to the amount of coin in circulation, and furnishes another and a pressing reason for a demand from this State upon the General Government, for the establishment of a Branch Mint, or for the removal of the principal Mint to our great sea port, which is the point of arrival of nearly all the gold introduced from California. It is earnestly hoped that Congress will no longer delay an act so imperatively demanded by the interests of the country.

In my Annual Message to the Legislature last year, I presented to their consideration several subjects, in my opinion, worthy of their attention, accompanied with such remarks as were deemed appropriate. I will not detain you by a repetition of what was then said; nor will I enlarge upon the reasons which induced me to present them to the notice of your predecessors. I shall merely allude to

the subjects, and take the liberty to refer you to the views with respect to them, which I submitted to the Legislature, and to renew the recommendations then made. These subjects were—

The restoration of the office of County Superintendent of Common Schools.

A revision and alteration of the laws under which taxes and assessments for local improvements are imposed and their payment enforced.

An amendment to the laws so as to ensure a more general and equal taxation of personal property.

A reduction of the compensation authorized by law to be received by the Health officer of the city of New-York.

The establishment of Tribunals of Conciliation, in accordance with the provisions of the Constitution.

A modification of the criminal code, so as to abridge, in proper cases, the terms of imprisonment; to reduce the minimum of sentence to the State Prison to one year; and to increase the limit prescribed by law for the division between grand and petit larceny.

The benefits of the provisions of the act in relation to pardons, passed at the last session of the Legislature, have been manifest. In several cases, the publication has induced information with respect to the prisoner, which would probably never have been brought to the knowledge of the Executive, had the pendency of the application not been made known to the public; and there is reason to believe, that many applications have been withheld under the certainty that the advertisement would attract attention and ensure opposition.

The number of persons pardoned during the year, from the State prisons, has been 27; and from the local prisons, 7. I communicate herewith the statement required by the Constitution, of the pardons granted during the year.

In the month of August last, I received a certificate from the Commissioners for the erection of the Western House of Refuge for Juvenile delinquents, that the house was in readiness for the reception of persons committed thereto; and in pursuance of the 15th section of the act authorizing the establishment, I made an order designating the counties which should thereafter send juvenile delinquents to this house. It has now thirty-one inmates. The building, as now completed, affords accommodation for about one hundred delinquents, and for the officers and persons employed in the establishment. A plan of building was adopted, such as to be perfect as now finished, and yet admitting the erection of three more wings of equal capacity with that now completed, without marring the proportion of the whole. Each of these wings will accommodate about a hundred inmates. It will be seen from the rapidity with which the house is filling up, that its capacity will soon be exhausted, and another wing will be required, the cost of which, it is represented, will be from ten to twelve thousand dollars.

During the past summer, the male department of the House of Refuge in the city of New-York had become so crowded, that its

managers issued a notice that no more boys could be received at present.

The whole number of children received in this house from its establishment to December 12, 1849, was 4,690. At this latter date, there were 334 children in the house. Without more extensive accommodations, this number is larger than is consistent with the proper classification of the children, for the separation of those less hardened in crime from the influence of the more depraved. Such classification is necessary to the object of the institution, which is the reformation rather than the punishment of those youthful delinquents, who may have been drawn thoughtlessly into the commission of crime, from which parental influence or good advice kindly administered, might have restrained them.

Should the Legislature determine to enlarge the Western House of Refuge, it will be advisable to authorize the transfer to that establishment, from the one in New-York, of those inmates now in the latter, who may have been sent thither from the counties which are now designated to send delinquents to the former.

The number of prisoners in confinement in the several prisons of the State, on the 1st December, 1849, was 1,483, being an increase of 174 over the number on the corresponding day of the previous year.

The earnings and expenditures of the several prisons during the fiscal year ending 30th September last, together with the daily average number of prisoners in each, were as follows :

	Earnings.	Expenditures.	Daily average of prisoners.
Auburn Prison, ...	\$67,613 79	\$56,777 99	535
Sing Sing " ...	66,379 84	68,793 64	{ 641½ males. 81 females.
Clinton " ...	10,976 22	50,126 47	143½

A large proportion of the expenditure of the Clinton County Prison, is stated to have been for extraordinary objects, not constituting a part of the regular expenses of the prison. The officers of the prison return these at \$22,479.52. The deduction still leaves an excess of expenditure over the earnings of this prison, of \$16,670.73, and it may be questioned whether some of the expenditures which are classed as extraordinary, will not be found to be frequently recurring.

The annual Report of the Inspectors will present the condition of the prisons more in detail, and I respectfully refer you to it.

The financial condition of the State Lunatic Asylum, is represented to be prosperous. The receipts from the board of patients have been adequate to defray all the ordinary expenses for the year. From the opening of this institution, 2,376 patients have been admitted ; 1,017 of whom have left the asylum cured.

This institution was under the superintendence of Dr. Amariah Brigham from its first opening, in January, 1843, until his labors were arrested by death, in September last. In the death of this de-

voted and philanthropic man of science, the cause of humanity has sustained a serious loss. The large number of recoveries effected under his management, is an eloquent testimonial to his skilful and devoted attention to the trust confided to his charge.

The several institutions encouraged and sustained in a large degree by the State, for the education of the Blind and of the Deaf and Dumb, and the New-York Hospital, are prospering, and are efficiently carrying out the benevolent objects contemplated by their establishment.

The present condition of these several charities will be more fully shown by their respective reports, which will soon be presented to you, and will furnish a gratifying exhibition of the fidelity with which the trust committed to their several boards of directors has been discharged, and an inducement to continue the aid which the State has heretofore extended to these charitable objects. The amount of payment to these institutions last year exceeded \$111,000; but as that sum included payments for buildings and permanent objects, it is hoped that the claims for the future will be much reduced.

The liberality of the State in its endowments of various charities which have been cherished by its munificence for the support and maintenance and for the education or relief of those who are not blessed with God's choicest gifts of the reasoning and perceptive faculties, has been rewarded with a measure of success in the several objects to which it has been directed, which encourages the inquiry, whether there be not yet a class of unfortunates who labor under a dispensation that imposes upon the State the duty of undertaking their physical, intellectual and moral improvement, and the advancement of their comfort, and of their means of usefulness and of enjoyment.

The census of 1845 shows a return of 1620 Idiots within the State, and there are reasons for the belief that this number is far short of the reality.

The success which has attended the efforts made of late years to resuscitate the mind of the Idiot, and to elevate him in the scale of human beings, has demonstrated, at least with sufficient certainty to call for the active aid of the State, that these unfortunate creatures, the most afflicted as a class of all whom the heavy dispensation of a wise Providence has visited, are susceptible within definite limits, of mental and physical development and improvement.

The State has already recognized the obligations resting upon it, to provide for the education of its children, and has made liberal provision for the education of those deprived of the organs of sight, and of hearing and speech, as well as for the improvement and reclamation of the lunatic. The efforts of the Legislature should not be intermitted, until they have secured to all classes and conditions such an education as they may be capable of receiving, and may qualify them for the duties pertaining to their respective pursuits and condition in life.

The number of Idiots exceeds that of either the Blind or the Deaf and Dumb. While the State has made liberal provision for the care and education of the latter, it has done nothing for the improvement

of the Idiot. The parents and the friends of the many hundred Idiots in the State, seek in vain a refuge, or a school, where their afflicted children or friends may be protected or made useful. The reason is doubtless to be found in the strong impression which has prevailed, that nothing could be done for the improvement of the Idiot. This impression must, however, now be confined to those who are not willing to receive the evidence of what has been successfully accomplished. He has been taught to articulate, and to talk distinctly, and to bring his passions and appetites into subjection; he has been instructed and made to read, to write, and to sing, and to exercise mechanical labor and skill in various trades. These results induce me to recommend the establishment, by the Legislature, of an Asylum and School for Idiots, on such scale and terms of endowment as your wisdom shall deem best.

The operation of the laws of the last session on the subject of Alien Passengers, has been highly satisfactory. It is believed that the objections to the former passenger laws, on which they were decided by the Supreme Court of the United States to be repugnant to the Federal Constitution, have now been obviated; whilst the original object of that legislation, the relief and support of diseased or destitute emigrants, have been completely attained. The experience of the year has pointed out some imperfections in the details of the act, which do not affect its general principle or leading provisions, but which demand legislative correction. These will probably be pointed out by the Commissioners in their report. The change of the system at the Quarantine, separating the charge of the Marine Hospital from the other duties of the Health Officer, has resulted in a much improved efficiency, economy, and order in the Quarantine establishment. The magnitude of the business devolved upon the Commissioners under these laws, may be conceived from the statement, that 213,552 alien passengers arrived at the port of New-York during eleven months, from 1st January to 1st December, 1849; of whom 2,894 were forwarded by the Commissioners to distant places, where they could meet employment; 7,000 were received into the hospitals at Ward's and Bedlow's Islands, and 3,162 into the Marine Hospital. The average weekly number of patients in the former hospitals exceeded 1,392, and in the latter, 455. Temporary relief was afforded to 16,200 emigrants; and the sum of \$43,023.77 was paid to the several counties of the State, to reimburse them for expenses incurred in the relief afforded by them to emigrant poor. This amount does not include the expenses of such counties for any part of December, nor the whole amount for November.

The laws for the protection of emigrants from the imposition to which they are specially subject, immediately on their arrival, have been attended with excellent results, in defending or assisting the helpless and the stranger, who have sought a refuge on our shores. Still, these laws are not perfect—they need further examination and improvement; for which object I earnestly commend them to your consideration.

It will become part of your duty to consider the necessity which seems to exist of providing more ample, if not more adequate, accommodations for the State Library. When the care of the Library was committed to the Regents of the University in May, 1844, the number of volumes was computed to be about 10,000. In the Catalogue now printing, the Law Books alone exceed 9,700, and the aggregate number of volumes is about 25,000. It is evident that the rooms now used are not capable of meeting this rapid increase which is still progressing. Every part of them is now filled, and it has become difficult to find, or take down many, while hundreds of volumes are locked up in various repositories, for want of sufficient accommodation in the Library rooms. In addition to this, the State has a very valuable and interesting collection of Maps, and will shortly receive many more, illustrative of the progress and history of our country. These should be easy of examination and reference. We have, too, the valuable and extensive collection of engravings presented by the Pope, which should be exhibited on the walls of the Library.

Uniting all these considerations, and adding to them the comparatively unsafe condition of the present rooms, in reference to the danger from fire, to which I referred more particularly in a communication to the Legislature last winter, I feel it incumbent upon me to recommend an appropriation for additional, if not other apartments for the use of the Library.

In connection with this subject, it may be remarked that the building now partly occupied by the State Cabinet of Natural History, is totally unfitted for such a purpose. The rooms are arched, and a quantity of space is lost which is much needed for the exhibition of the valuable and extensive collection of specimens which the State has brought together to illustrate its Natural History. And the trustees are completely stopped in their plans for increase, by the absolute want of room in which to place the very interesting Indian and Natural History collections which are crowding upon them. The State Agricultural Society, from the extension of its collections, needs all the lower rooms of this building.

Should you deem it advisable to authorise the construction of any additional building, it appears very desirable that such erection should be made for the accommodation of both the Library and Cabinet of Natural History, as will meet their wants for some years to come, and by giving to the agricultural society the use of the rooms now occupied by the cabinet, increase the accommodation and the means of usefulness of this valuable association.

I desire to bring to your notice the fact, that we have no complete collection of the colonial laws of New-York in print. The originals of these laws are in the Secretary of State's office. I cannot doubt that a competent commission could be instituted to superintend such a publication, without any pecuniary compensation. The only expense, exclusive of that of printing, would be a moderate salary for a secretary to do the necessary clerical work, and to arrange the laws in chronological order.

A law passed last winter, appointed three Commissioners of the Code to perform the duties specified in the 17th section of article I. of the Constitution, and authorised the Governor to fill any vacancy which might occur during the recess of the Legislature. Two of these Commissioners have resigned. The resignation of Mr. Spencer was on the 25th of June last; that of Mr. Worden took effect on the 1st day of November. Under the power conferred by the law, I have endeavored to fill the vacancies in a manner calculated to ensure the object contemplated by the act and by the Constitution, and have offered the appointments to a number of the most eminent jurists of the state. The vacancies, however, still exist. As they occurred during the recess of the Legislature, the power to fill them under the act is probably with the Governor. But as I have not succeeded in the exercise of the power, before the Legislature has convened, and as, in my opinion, an alteration of the law organising the Commission is essential to its practical success, I respectfully refer the matter to your consideration, and shall abstain from any efforts to fill the Commission during your sittings, or until there shall be an expression of your opinion on the subject.

The principal difficulty in filling the existing vacancies, arises from the inadequacy of the compensation allowed, and the limitation of time compared with the magnitude of the labor to be accomplished. The restriction of time imposed by the existing law, is fatal to the accomplishment of the work. The undertaking "to reduce into a written and systematic code the whole body of the law of this state," is too vast to be accomplished under the pendency of such a pressure, or to be completed by the labors of three men within two years. I therefore recommend an increase of the compensation of the Commissioners, and an extension of the time limited for their continuance in office.

It is a subject of not unfrequent complaint, that the due administration of public justice is often impeded in consequence of the present mode of empannelling jurors in criminal cases, and of the exercise of the right of challenge by the traverser, and by the manner of conducting the trial and defence.

Trials attended with any notoriety, are apt to involve great consumption of time in the scrutiny of the jury. Weeks have been consumed in this effort in a single cause; and I am informed by one of the Justices of the Supreme Court, that in a trial before him, upwards of four thousand persons were examined in a fruitless endeavor to empanel a jury. I understand that the Commissioners to revise the rules and practice of the courts, will submit to your consideration a proposition intended to obviate the difficulty which has been experienced in this particular. Not having had the opportunity to examine the alterations which they propose, I cannot express an opinion upon their suggestion; but the subject is one of importance, and will, I hope, engage your early attention.

The experience of those familiar with the proceedings in the criminal courts, has suggested the propriety of allowing to the prosecution



a limited number of peremptory challenges. I am convinced that the ends of justice would thereby be advanced.

The allowance of bills of exceptions, is believed to be a principal cause of the delays and protracted trials in criminal cases, and of the occasional failure of justice. Prior to the adoption of the Revised Statutes, criminal trials were reviewed by the courts reserving the point in dispute for the consideration of the Supreme Court on a case made; when, if the point did not affect the merits, the court was at liberty to disregard it. Upon bills of exception, however, the whole case is not sent up, but only enough for a proper understanding of the single point raised; and if the ruling on that point be erroneous, however immaterial it may be to the main question of guilt or innocence, a new trial must be granted. The effect is, that the judge on the trial, unwilling to embarrass the case by exceptions, or to give the accused the chance to avoid the consequences of a verdict of guilty by exceptions on points really immaterial, is tempted to relax the rules of evidence, and to let in almost any testimony which may be offered.

A serious defect exists either in our statutes relating to summary convictions upon the charge of vagrancy, or in the practice under those statutes. These proceedings involve a wide departure from the principle which pervades our whole jurisprudence, and which secures to every person accused of an offence a trial by jury; they are, therefore, justly regarded with jealousy, and should be restrained by stringent rules for the protection of personal liberty.

While public policy undoubtedly indicates the necessity of placing under restraint and discipline those who lead an idle life, without employment, and without the visible means of support, it also indicates, with equal certainty, the distinction which should be observed between them and the willfully corrupt. A distinction is recognised by our statutes between different individuals, whom it classes under the general name of "vagrants;" some are recognised as proper objects for the poor house, while others are to be committed to the common jail. But in practice, it is believed that nearly all the commitments for vagrancy are to the county prisons; thus merging the distinction (so essential to justice and to the moral elevation and reformation of the vagrant, as well as to the effective punishment of the criminal,) between poverty and crime; and commingling, in a common disgrace and punishment, those whose chief fault is destitution or perhaps disease, with those who have been convicted of a willful transgression of the law.

I have been led to these remarks by an investigation made during the past year, and embodied in the presentment of a grand jury, in which it is represented that of seven hundred and forty-six persons at that time confined in the Penitentiary of the city of New-York, upon the charge of vagrancy, whose commitments had been examined, two hundred and twenty were confined "for matters which do not constitute vagrancy under any description of it," as defined by our statutes, but "because the offence charged is poverty, sickness, or destitution," while of the whole number of seven hundred and forty-

six, only three were lawfully imprisoned. Such a fact calls imperatively for an examination of the statutes under which such transactions have occurred.

While it is admittedly a primary duty of the Legislature to enact laws for the punishment of vice, it is no less its duty to remove the causes which frequently lead to the commission of crime. The impressions made upon the youthful mind by the gentle force of parental authority and example, and by the associations of the family circle, are among the most active and enduring of the influences which control the conduct of after life. Much of the vice that we are called upon to deplore, may be traced to the early removal of its subject from the reach of that authority and example, and from the innocent but wholesome associations of a home, however humble. The cause of morality, no less than the dictates of humanity, demand the preservation of the family circle, and the maintenance of the family home, as efficient preventives of vice, and sure and permanent contributors to individual virtue and happiness, and to public prosperity and order.

In this view it becomes us to consider whether the causes by which this wholesome influence is often broken up, may not be removed or lessened.

Doubtless the most frequent cause of dismemberment of families is found in the pecuniary inability of the parent to maintain his household establishment.

The humane and wise policy of the State, many years since, provided an exemption from execution for debt, of sundry articles in favor of persons being householders. The list of articles thus exempted has at various times been enlarged—at all times in favor of persons being householders, and so as to embrace articles essential to the maintenance of the household establishment, and to prevent the dismemberment of families. And yet the wise policy of the law often fails of its object, and the household is dispersed for want of an abode, wherein the pleasures of an undivided family may alone be left to sweeten the hours of adversity, and to cheer and stimulate its members in their efforts to repair their misfortunes while they retain their virtue.

It is this consideration which induces me to suggest a further extension of the present exemption, so as to exempt from sale upon execution, the premises occupied as a Homestead, to a limited value.

The most exact observance of the rights of property, and of the inviolability of contracts, should characterize all legislation in a civilized government. An essential feature, therefore, of any law for this purpose, should be its careful and scrupulous avoidance of the violation of any existing rights. The exemption should not extend to contracts made before the enactment of the law, but should be prospective in its operation, and the homestead should not be exempt from a debt incurred for its purchase.

I submit these as among the guards which should attend the exemption; relying, however, upon the wisdom of the Legislature, should it think proper to consider the subject, to suggest and mature

such provisions as will carefully protect the rights of the creditor, and guard against the commission of fraud, while they may effect much in the cause of humanity toward the prevention of crime, the relief of poverty, and the support and education of the young and the helpless.

The policy of our government and of our institutions is wisely adverse to large standing armies. Our reliance is therefore upon the militia organized and armed in accordance with the requirements of the Federal Constitution, and the laws of Congress in pursuance thereof. The condition of this force within our State is highly satisfactory. Prior to the enactment of the law of 1847, for the reorganization of the militia, the system had become obnoxious to large numbers in the community, and the militia service was regarded with disfavor, except, in the various uniformed corps, which did not exist to any great extent out of the cities and the large towns: and the trainings of the militia came to be regarded as an uselessly onerous burthen to the people.

The object of the militia laws of 1847 and '48, was to provide a thorough enrolment of all persons in the State liable to military duty—to offer larger inducements and thereby to increase the number of uniformed companies—to advance their efficiency, and at the same time to lessen the expense both in time and money to which the members were subject, and to relieve the mass of the citizens from the burthens of the previous law.

The organization under these new laws progresses but slowly. Like every new system, this has its defects, which were not foreseen at the time of its enactment, but which it is hoped can be remedied by the Legislature, as they are developed in practice. Some of these defects will be pointed out, and the remedy will be suggested, in the report of the Adjutant General, to which I solicit your early attention.

It is estimated that there are near 300,000 persons in the State liable to military duty, and yet the number enrolled the present year is returned at only 87,595. These returns are very imperfect. They embrace but about one-third of the State. It is particularly important that you direct your attention to such an amendment of the laws as will ensure full and accurate returns, and an early organization of the entire body of the militia.

Notwithstanding the delays and difficulties which have embarrassed a new system, 233 uniform companies have been organized under the late acts, in addition to others previously in existence—thus presenting a strong, efficient and reliable force, constantly increasing, ready and willing to sustain the laws of the State, and to fulfil the duties imposed upon them by the Constitution of the United States.

The report of the Commissary General will present to you the condition of the State property entrusted to the care of this officer. The laws relating to this department require a thorough revision. I am induced to believe that some alterations will be suggested in the report of the Commissary General, to which I beg leave to call your attention.

Few subjects affect more intimately the interests and convenience of the people, than the means of safe, speedy, and widely extended social and commercial communication. There are now in operation within the State, twenty-five railroad companies, and upwards of eleven hundred miles of road, upon which daily vast numbers of human beings are carried. In judging of the future, it would be difficult to form an adequate conception of the immense stream of travel and commerce which will flow over these great highways, at no distant day, when they shall have penetrated the yet sequestered regions of the State, and when the trade of the great West, still in its infancy, shall have reached its full growth and magnitude. It is the duty of a wise government to encourage enterprises which tend, like our railways, to approximate distant parts of the State, to destroy sectional interests, to explore and bring into social and commercial relations districts hitherto almost inaccessible, and to increase largely the sale of agricultural products, by bringing the best market near to the door of the producer. So, on the other hand, the great and rapid extension of the railway system calls for such judicious legislative regulations as will more adequately secure the protection of life, and the largest degree of safety, coupled with comfort, and the requisite rate of speed.

The frequency of accidents and collisions naturally leads to enquiry into the causes, and the proper remedy to be applied to the prevention of so great an evil. It cannot be doubted that a large proportion of these accidents arises from the use of a single track, by cars running in opposite directions. The subject is eminently worthy of legislative attention, with a view to afford every just facility for the construction of railroads, and at the same time to enforce prudent regulations for the security of human life.

While the power of the Legislature to authorise, by a general law, the taking of private property for public use, in other cases than where the constitution sanctions a delegation of local legislative authority to the boards of supervisors, may well be questioned, there exist strong reasons why the exercise of so important a branch of sovereign prerogative should not be surrendered, in this way, to private associations without great caution. Provision, has, however, already been made by law, for the exercise of the right to decide the public utility of highways, turnpikes and plank roads, by the local authorities of the counties within or through which such improvements are designed, and under proper restrictions it might be sound policy to extend the benefit of similar provisions to the construction of railroads. Beside the plain and strict compliance with the provisions of the constitution which such a system would present, in connection with the general law authorising companies to incorporate themselves, it would take from these corporations every ingredient of exclusive privilege, and would relieve the Legislature from the weight and burthen of a large amount of duty entailed upon it under the present system, and would prevent, in a great degree, the interference of speculating enterprises, or of measures prompted by the anticipation of gain, with the consideration and the decision of other questions of public importance.

It is with no slight degree of pain that I feel it a duty again to refer to a subject which is attracting the earnest attention, and the most anxious solicitude of the people, and which continues to excite the strongest sectional prejudices, and forms perhaps the only speck in our political horizon whence any danger can be reasonably apprehended to affect the internal harmony of our confederacy.

The acquisition by the United States of a large extent of territory contiguous to that portion of the States wherein the institution of domestic slavery continues to be tolerated, and the necessity of providing some form of government for these new accessions to the jurisdiction of the general government, have furnished the occasion, which seems to be inevitable, of determining the question whether the institution of slavery shall be permitted to extend itself within the bounds of these newly acquired possessions, from which it has been excluded by the municipal laws of the power which at the time had the sovereign jurisdiction over the territory, and from which the United States acquired its title and its right.

The discussion and the decision of this exciting question, should be approached in the spirit of kindness and of mutual and charitable toleration for differences of opinion, necessarily resulting from differences of education, of habits, and of the association by which men are surrounded, and with the determination to resist and to check all tendencies, from whatever quarter they may proceed, toward fanatical agitation, sectional excitement, or partizan advancement. A firm and decided expression of our own convictions of right, and even of our unalterable determination of action, if temperately made in this spirit, is not only justifiable but proper, and can give no just cause of offence to those with whom we differ on this one point, while united by the strongest bonds of brotherhood in the recollection of a common and a glorious union in the past, in the realization of a common interest in the present, and in the hope of a brilliant and an enduring future of peace, of union, and of prosperity to our common country and to her cherished institutions.

It is no new declaration in behalf of the state of New-York, that she regards slavery as a moral, a social and a political evil.

At the time of the separation of the States from the government of Great Britain, the people of New-York, in common with most of the other states of the Union, found the institution of slavery among the evils which had been fastened upon them by the avarice or the misgovernment, or neglect of the parent country. Appreciating it then, as she now does, as an evil and a wrong, our state, early, and while the slave population was large, and bore the proportion of more than one to fifteen of the free population commenced a course of legislation for the extinction of slavery within her borders. Regarding it as a domestic relation founded upon and limited to the range of the territorial laws of our state, dependent for its continuance and its regulation upon the legislation of the several states, New-York exercised her exclusive power over the institution within her own borders, but has carefully avoided any interference with the right of other states to regulate their internal policy in their own way; not because her

repugnance to human bondage, or her attachment to the principles of universal freedom, were confined to the limits of her own jurisdiction; but because of her attachment to the Union of the States, and because of her solemn regard for the compact into which she had entered with those States.

But while she has thus scrupulously abstained from all interference with the domestic institutions and the internal legislation of her sister states, her voice has been frequently raised in behalf of human freedom, and in opposition to the extension of slavery beyond the limits of those states within which it has heretofore been sanctioned. Her expressions on this point have been frequent and emphatic, and their repetition at this time will not be unexpected.

At the time of the adoption of the Federal Constitution, slavery existed in twelve of the thirteen states of the Union. From six of the twelve it has since been excluded by the legislation of the states themselves.

Seventeen new States have been added to the confederacy, nine of which recognize and sanction slavery, while only eight have come into the Union with laws prohibiting involuntary servitude. The admission of five of these eight free states was guaranteed by a compact anterior to the adoption of the Federal Constitution, made between the States of the Confederacy and the people residing in the territory northwest of the River Ohio, leaving only three new free States which have been admitted into the Union whose admission was not contemplated and assured at the adoption of the Constitution.

Of the nine new slaveholding States, five have been formed out of territory which has been acquired by the United States since the adoption of the constitution, and which, consequently, could not of right claim the benefit of the compromises of that instrument, which, nevertheless, have been gratuitously extended to them. And one of these five States has come into the Union with a clause in the resolutions whereby it was annexed, under which, at some future day, four additional slaveholding States may ask admittance into the Union.

However deeply New-York may have regretted the extension of an institution which she solemnly believes to involve a great moral wrong, and to be attended with social and political ills, in her loyalty and devotion to the Union, she has refused to consider the political advantages which have been so repeatedly conceded, and has assented to an extension of the compromises of the Constitution, in order to bring into the Union new elements of strength and of greatness, to open new fields for enterprise, and to develop the national power and the capacity of man for self-government.

In this assent to an extension of the compromises of the Constitution, while again and again yielding important political advantages, New-York has made no concession of principle. The institution of Slavery existed within the territory out of which these new States were formed, before it came under the jurisdiction of the United States, and by virtue of previously existing ordinances of the power from which our Government derived its title.

Holding that the Government of the United States has no right to interfere either towards the establishment or the abolition of this domestic relation within the limits of the several States, New-York reaffirmed her constitutional belief when she renewed the evidences of her attachment to the Union, and of her disposition to yield advantages, by assenting to the admission of these new States.

She did not stop to consider the magnitude nor the frequency of the concessions which she was making, and the merely political advantages which she was voluntarily relinquishing ;—nor does she now consider them. But she does stop before consenting to be a party to what she deems a wrong, and such she considers would be the attempt to establish Slavery, under the sanction, or with the assent of the General Government, within any portion of the Territories of the United States whence it is now legally excluded.

The General Government has made four separate acquisitions of territory. By each of the three former, slave territory was acquired, and from these acquisitions, five new slaveholding States have already been admitted into the Union, with an implied promise of four more, at some future day. The last accession of territory is the only one whereby we have acquired jurisdiction over soil whence Slavery was, by existing laws, entirely prohibited. By the treaty with Mexico, the territories of New Mexico and California came to us free ; and the laws of Mexico abolishing Slavery, which were in force at the time of the cession, continue to be operative, and are not affected by the transfer of sovereignty over the territory.

The people of California have recently taken initial steps toward admission into the Union as a sovereign State. By the Constitution which they have adopted, they have embodied, in their organic law, the prohibition of slavery or involuntary servitude. And a petition was presented to Congress, during the past winter, in behalf of a portion of the people of New Mexico, asking for the establishment of a Territorial Government, which should protect them against the institution of domestic slavery. The voice of the people of California has thus been expressed in favor of Freedom ; and there is little room for doubt that New Mexico sympathises in sentiment with California. Congress cannot, without a transgression of its constitutional powers, establish slavery within this territory ; nor can it, without the violation of the principles of justice, and an utter disregard of the wishes of the people, and of the protection which it is bound to extend over the territory to which it has acquired the title, refuse admission to the new State, or countenance or sanction, in any way, the introduction of slavery within the territory. And without the sanction and the assent of Congress, these newly acquired territories are secured to Freedom, and must remain as they now are, exempt from the institution of Slavery.

The emphatic voice of the Legislature of the State of New York, expressed in the resolutions passed at their last two sessions, and the nearly unanimous sentiment of the people of our State, have declared that under no circumstances will their assent be given to the extension of Slavery into these territories, from which it is now excluded.

New York loves the Union of the States. She will not contemplate the possibility of its dissolution; and sees no reason to calculate the enormity of such a calamity.

She also loves the cause of Human Freedom; and sees no reason to abstain from an avowal of her attachment. While, therefore, she holds fast to the one, she will not forsake the other.

The foreclosure of a mortgage, given to the Commissioners for loaning certain moneys of the United States, has vested in the State the title to a small piece of land, and to the stone building, near Newburgh, in the county of Orange, known as "Washington's Headquarters." I respectfully submit that there are associations connected with this venerable edifice which rise above the consideration of dollars and cents, and which should distinguish it from other acquisitions and property of the State, and should prevent its being disposed of, unless for objects in some degree congenial with its past history. It is perhaps the last relic within the bounds of the State, and under the control of its Legislature, connected with the history of the illustrious man who left us this patriotic admonition:—

"It is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and to speak of it as a palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to ensueble the sacred ties which now link together the various parts.

"In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—'northern and southern, Atlantic and western;' whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is, to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection."

If our deliberations and actions are governed by the spirit breathed forth in this admonition, we may confidently hope for the continuance to us, as a Nation, of those blessings which the wise and bountiful Ruler of the Universe has hitherto abundantly granted.

HAMILTON FISH.

EXECUTIVE CHAMBER, }  
Albany, January 1, 1850. }

On motion of Mr. Williams,  
Ordered, That the said message be laid on the table and printed.



The President laid before the Senate a communication from the commissioners on practice and pleadings, in the following words, to wit :

*Albany, Dec. 31, 1849.*

SIR—The commissioners on practice and pleadings beg leave to present, through you, to the Senate, their report complete of a code of civil procedure, of a code of criminal procedure, and of two special acts in connection therewith.

With great respect your obedient servants,  
 ARPHAXED LOOMIS,  
 DAVID GRAHAM,  
 DAVID DUDLEY FIELD.

To the President of the Senate.

On motion of Mr. Babcock,

*Ordered*, That said communication be laid on the table.

The President laid before the Senate a communication from David Graham, one of the commissioners on practice and pleadings, in the words following, to wit :

*Albany, Dec. 31, 1849.*

To the President of the Senate :

SIR—The undersigned, one of the commissioners on practice and pleadings, begs leave to present herewith to the Senate, his dissent from certain portions of the code of civil procedure, as reported complete by the commissioners.

Very respectfully yours,  
 DAVID GRAHAM.

On motion of Mr. Babcock,

*Ordered*, That the said communication be laid upon the table.

On motion of Mr. Crolius,

The Senate then adjourned until eleven o'clock to-morrow morning.

THURSDAY, JANUARY 3, 1850. .

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Waggoner.

The Journal of yesterday was read and approved.

Mr. Cook presented the petition of Roscius R. Kennedy, for the incorporation of the Jonesville Academy, which was referred to the committee on literature.

Mr. Cross presented the petition of the trustees of the Brooklyn benevolent society, for an amendment of their act of incorporation, which was referred to the committee on charitable and religious societies.

Mr. Schoonmaker presented the petition of the supervisors of the county of Ulster, for the release of the county from the anti-rent expenses, which was referred to the committee on the internal affairs of towns and counties.

Mr. Schoonmaker presented the petition of the board of supervisors of Ulster county, for the election of a local officer in said county to discharge the duties of county judge and surrogate in certain cases, which was referred to the committee on the judiciary.

Mr. Colt presented the petition of sundry inhabitants of Livingston county, praying for an appropriation for an agricultural college and experimental farm, which was referred to the committee on agriculture.

Mr. Mann presented the memorial of A. B. Johnson, in relation to the circulation of the bills of expired safety fund banks, which was referred to the committee on banks and insurance companies.

The President laid before the Senate a communication from the Mayor of the city of Buffalo, in answer to a resolution of the Senate, passed April 2, 1849, calling for a statement of the liabilities and indebtedness of the cities and villages of this state, which was referred to the committee on the incorporation of cities and villages.

Mr. Cook gave notice that, at an early day, he would ask leave to introduce a bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehall."

Mr. Carroll gave notice that, at an early day, he would ask leave to introduce a bill requiring the common council of the city of Troy to issue scrip in shares of not less than twenty dollars to the tax payers of said city, for the amount of the principal and interest heretofore paid by them severally and hereafter to be paid on the principal on account of the construction, together with its appurtenances, of the Troy and Schenectady railroad.

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That so much of the Governor's message as relates to cholera and its treatment, be referred to the standing committee on medical societies and colleges;

That so much thereof as relates to the powers and duties of municipal and local authorities under the "act to preserve the public health," be referred to the standing committee on the judiciary;

That so much thereof as relates to the finances of the State, be referred to the standing committee on finance;

That so much thereof as relates to canals, be referred to the standing committee on canals;

That so much thereof as relates to the Albany basin, be referred to the standing committee on finance;

That so much thereof as relates to public education, be referred to the standing committee on literature;

That so much thereof as relates to an agricultural college and experimental farm, be referred to the standing committee on agriculture ;

That so much thereof as relates to currency, be referred to the standing committee on banks and insurance companies ;

That so much thereof as relates to the county superintendents of common schools, be referred to the standing committee on literature ;

That so much thereof as relates to the assessment and collection of taxes, be referred to the standing committee on internal affairs of towns and counties ;

That so much thereof as relates to the compensation of the health officer of the city of New-York, be referred to the standing committee on retrenchment ;

That so much thereof as relates to the severity of criminal punishment, be referred to the standing committee on the judiciary ;

That so much thereof as relates to prisons and the western house of refuge, be referred to the standing committee on state prisons ;

That so much thereof as relates to the lunatic asylum and an asylum and schools for idiots, be referred to the standing committee on poor laws ;

That so much thereof as relates to the deaf, dumb and blind, be referred to the standing committee on charitable and religious societies ;

That so much thereof as relates to alien passengers, be referred to the standing committee on commerce and navigation ;

That so much thereof as relates to the State Library and Cabinet of Natural History, be referred to the select joint committee on the Library ;

That so much thereof as relates to the appointment of commissioners of the code, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the trial of criminals, be referred to the standing committee on the judiciary ;

That so much thereof as relates to vagrancy, be referred to the standing committee on poor laws ;

That so much thereof as relates to the homestead exemption, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the militia, be referred to the standing committee on the militia ;

That so much thereof as relates to railroads, be referred to the standing committee on railroads ;

That so much thereof as relates to the extension of slavery over territories now free, be referred to a select committee ;

That so much thereof as relates to Washington's Head-Quarters, be referred to a select committee ;

Which were severally read and adopted by the Senate.

On motion of Mr. Geddes, and by unanimous consent,

*Resolved*, (if the Assembly concur,) That the twelve hundred copies of the report of the Commissioners on Practice and Plead-

ing, containing the codes of civil and criminal procedure complete, be disposed of as follows: five copies to the Governor, five copies to the Lieutenant Governor, five copies to each member of the Legislature, one hundred copies to each of the Commissioners, the remainder to be placed under the charge of the Governor and Secretary of State for distribution.

On motion of Mr. Carroll,

The Senate then adjourned until 11 o'clock to-morrow morning.

## FRIDAY, JANUARY 4, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

Mr. Brandreth, Senator elect from the seventh district, appeared at the desk of the President, who administered to him the oath of office, and he took his seat as a member of the Senate.

The journal of yesterday was read and approved.

In pursuance of the twenty-seventh standing rule of the Senate, the President announced the following standing and select committees of the Senate:

### *On Claims.*

Mr. Schoonmaker,  
Mr. Crook,

Mr. Johnson.

### *On Finance.*

Mr. Morgan,  
Mr. Colt,

Mr. Brown.

### *On Charitable and Religious Societies.*

Mr. Stanton,  
Mr. Robinson,

Mr. Fox.

### *On the Judiciary.*

Mr. Babcock,  
Mr. Schoonmaker,

Mr. Mann.

### *On the Militia.*

Mr. Guinnip,  
Mr. Crolius,

Mr. Tuttle.

*On Canals.*

Mr. Upham,  
Mr. Robinson,

Mr. Skinner.

*On Railroads.*

Mr. Geddes,  
Mr. Dart,

Mr. Owen.

*On Roads and Bridges.*

Mr. Miller,  
Mr. Tuttle,

Mr. Schoonmaker.

*On Grievances.*

Mr. Curtis,  
Mr. Morgan,

Mr. Guinnip.

*On Literature.*

Mr. Beekman,  
Mr. Miller,

Mr. Carroll.

*On Banks and Insurance Companies.*

Mr. Cook,  
Mr. Curtis,

Mr. Upham.

*On Privileges and Elections.*

Mr. Crook,  
Mr. Stone,

Mr. Cross.

*On Indian Affairs.*

Mr. Owen,  
Mr. Dart,

Mr. Babcock.

*On Engrossed Bills.*

Mr. Carroll,  
Mr. Noyes,

Mr. Morgan.

*On Internal Affairs of Towns and Counties.*

Mr. Colt,  
Mr. Noyes,

Mr. Dimmick.

*On Poor Laws.*

Mr. Mann,  
Mr. Williams,

Mr. Stone.

*On Commerce and Navigation.*

Mr. Williams,  
Mr. Fox,

Mr. Beach.

*On Agriculture.*

Mr. Dimmick,  
Mr. Brown,

Mr. Geddes.

*On Manufactures.*

Mr. Crolius,  
Mr. Cook,

Mr. Snyder.

*On State Prisons.*

Mr. Beach,  
Mr. Cook,

Mr. Brandreth.

*On Public Buildings.*

Mr. Snyder,  
Mr. Stanton,

Mr. Johnson.

*On Retrenchment.*

Mr. Skinner,  
Mr. Cross,

Mr. Beekman.

*On the Division of Counties and Towns.*

Mr. Johnson,  
Mr. Fox,

Mr. Dimmick.

*On Cities and Villages.*

Mr. Cross,  
Mr. Carroll,

Mr. Owen.

*On Public Expenditures.*

Mr. Brown,  
Mr. Babcock,

Mr. Crolius.

*On Expiring Laws.*

Mr. Dart,  
Mr. Tuttle,

Mr. Miller.

*On Medical Societies and Medical Colleges.*

Mr. Robinson,  
Mr. Brandreth,

Mr. Williams.

*On Public Printing.*

Mr. Beach,	Mr. Upham.
Mr. Brandreth,	

*On the Manufacture of Salt.*

Mr. Geddes,	Mr. Colt.
Mr. Stone,	

*Joint Library Committee.*

Mr. Beekman,	Mr. Stanton.
Mr. Mann,	

*Select Committee on so much of the Governor's Message as relates to the Extension of Slavery over Territory now free.*

Mr. Geddes,	Mr. Stanton.
Mr. Johnson,	

*On so much thereof as relates to Washington's Head Quarters.*

Mr. Cook,	Mr. Curtis.
Mr. Guinnip,	

Mr. Brown presented the petition of the trustees of the village of Astoria in relation to the taxes raised for village purposes, &c., which was referred to the committee on the incorporation of cities and villages.

Mr. Owen presented the petition of Calvin Converse, elected a superintendent of the poor of the county of Cattaraugus, praying that his official bond may be declared valid, &c., which was referred to the committee on the internal affairs of towns and counties.

Mr. Beekman presented the memorial of Mary H. Jenkins and Eliza J. Mathews for a repeal of the acts passed for the relief and benefit of Francis Englishbee, which was referred to the committee on the judiciary.

Mr. Dimmick presented the petition of inhabitants of Broome co. for the establishment of an agricultural college and experimental farm, which was referred to the committee on agriculture.

The Assembly returned the resolution of the Senate of January 2, 1850, in relation to the appointment of the joint library committee, with a message informing that they had concurred therein.

The President laid before the Senate a communication from the secretary of the N. Y. State Agricultural Society, which was read in the words following, to wit:

N. Y. STATE AG'L SOCIETY,  
STATE AGRICULTURAL ROOMS, }  
*Albany, January 4, 1850.* }

To HON. G. W. PATTERSON,  
*Lt. Gov. and Pres't of the Senate.*

SIR—Be pleased to present to the honorable the Senate the invitation of the New-York State Society to attend a course of lectures on the general relations of science to agriculture, by Prof. James F. W. Johnston, F. R. S., before the Society, to be delivered in the Assembly chamber.

I am very respectfully your ob't serv't,  
B. P. JOHNSON,  
*Secretary.*

Mr Dimmick moved the invitation be accepted by the Senate.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

The President laid before the Senate a communication from A. N. Morin, Speaker of the Parliament of Canada, in relation to the destruction of the libraries attached to the two houses of Parliament, which was referred to the joint library committee.

On motion of Mr. Carroll,  
*Ordered,* That said communication be printed.

*(See Senate Doc. No. 6.)*

Mr. Schoonmaker gave notice that he would, at an early day, ask leave to bring in a bill amending sections 19 and 25 of article 2, chapter 13, title 2, part 1 of the Revised Statutes, in relation to assessments and the duties of assessors.

Mr. Schoonmaker also gave notice that he would, at an early day, ask leave to bring in a bill to repeal portions of title 9, chapter 20, of part 1 of the Revised Statutes, relating to "excise and the regulation of taverns and groceries," and all laws amending the same.

Mr. Crolius gave notice that, at some future day, he would ask leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to punish and prevent fraud in the use of false stamps and labels.'"

In pursuance of previous notice,

Mr. Cook asked for and obtained leave to bring in a bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Crook,

The Senate then adjourned until eleven o'clock to-morrow morning.



## SATURDAY, JANUARY 5, 1850.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Fox presented the petition of the Florida bridge company, for relief from damages done to the bridge by the construction of the Erie canal, which was referred to the committee on claims.

Mr. Cook gave notice that he would, at an early day, ask leave to introduce a bill to make the district attorney of the county of Saratoga a salaried officer.

Mr. Morgan gave notice of his intention, at an early day, to ask leave to introduce a bill for changing the day for the assembling of the Legislature.

On motion of Mr. Morgan,

*Resolved*, That the committee on medical societies and medical colleges, be requested to report upon the propriety of a law exempting physicians and surgeons in regular daily practice from performing duty as jurors.

Mr. Crolius offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Clerk of the Senate furnish to each of the members, officers and reporters of the Senate a penknife of the usual quality, and that the expense thereof be paid out of the contingent fund of the Senate.

On motion of Mr. Carroll,

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Morgan,

*Resolved*, That the committee on military affairs be requested to ascertain and report whether the State Arsenal, recently erected on 5th Avenue, between 64th and 65th streets, in the city of New-York, is likely to afford all the accommodation for military purposes which the state may require.

On motion of Mr. Guinnip,

The Senate then adjourned until eleven o'clock on Monday morning.

MONDAY, JANUARY 7, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Beecher.

The journal of Saturday was read and approved.

Mr. Dart presented three several petitions of sundry inhabitants of St. Lawrence county, and also of the supervisors of said county, for a law authorising the commissioners of the Ogdensburgh and Canton road to borrow money and convert their road into a plank road, which was referred to the committee on roads and bridges.

Mr. Brown presented the petition of the trustees of the village of Astoria, praying for a law authorising them to raise money by tax for the education of the poor of said village, which was referred to the committee on literature.

Mr. Beekman presented the petition of Cecelia De Notbeck, praying for a law to legalize the descent of certain property to her heirs, which was referred to the committee on the judiciary.

Mr. Beekman presented the memorial of the New-York Historical Society, asking for an appropriation from the state for the benefit of said society, which was laid upon the table.

On motion of Mr. Morgan,

*Ordered*, That the said memorial be printed.

Mr. Tuttle presented the petition of the president and directors of the Schoharie and Duaneburgh turnpike company, praying for an act authorising them to sell their road to a company for planking, which was referred to the committee on roads and bridges.

The President laid before the Senate the memorial of the American Association for the advancement of science, in relation to geological surveys, and the publication of reports of the same, which was referred to the committee on literature.

The President laid before the Senate the report of the Butchers' and Drovers' Bank, in relation to unclaimed dividends and deposits, which was referred to the committee on banks and insurance companies.

The President laid before the Senate a communication from James H. Armsby, Professor of Anatomy, of the Albany Medical College, in the words following to wit:

The members and officers of the Senate are invited to visit the museum of the Albany Medical College, which will be open every day in the week, except Sundays, during the session.

By order of the Faculty,

JAMES H. ARMSBY,

*Professor of Anatomy.*

The President laid before the Senate a communication from the Inspectors of State Prisons, transmitting their annual report, which was read in the words following, to wit:

HON. G. W. PATTERSON,

*Lt. Governor and Pres't of the Senate.*

SIR,—Pursuant to the direction of the 7th subdivision of the 34th section of the "act for the better regulation of the county and state prisons of this state, and consolidating and amending the existing laws in relation thereto," passed December 14, 1847, requiring the Inspectors of State Prisons "to make an annual report to the Legislature, on or before the fifteenth day of January in each year, of the state and condition of each of said prisons, the convicts confined therein, the money expended and received, and generally of all the proceedings during the past year," the second annual report of the Inspectors is herewith transmitted for presentation to the honorable the Senate.

Very respectfully,  
ISAAC N. COMSTOCK,  
DAVID D. SPENCER,  
ALEX. H. WELLS,

*Inspectors of State Prisons.*

January 1, 1850.

*Ordered,* That the said report be laid upon the table.

By unanimous consent,

Mr. Dart introduced a bill entitled "An act to authorise the commissioners of the Ogdensburgh and Canton road to convert their road into a plank road, and to borrow money for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Geddes gave notice that at an early day, he would ask leave to introduce a bill in relation to personal property exempt from execution.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled, "An act providing for the registry of births, marriages and deaths," passed April 28, 1847.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to amend sections 19 and 25 of article 2, of chapter 13, of title 2, part 1, of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Colt offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved,* That the committee on the internal affairs of towns and counties be discharged from the further consideration of so much of the Governor's message as relates to local or municipal taxation, and that the same be referred to the committee on cities and villages.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

By unanimous consent,

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to provide for the trial of causes in the supreme

court, in which the justices of the district, where the same are to be tried, have been engaged as counsel.

On motion of Mr. Crolius,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That the Clerk of the Senate furnish to each of the members, officers and reporters of the Senate, a penknife, of the usual quality, and that the expense thereof be paid out of the contingent fund of the Senate.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That 1,000 extra copies of the report of the state prison inspectors be printed for the use of the said inspectors.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Colt,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## TUESDAY, JANUARY 8, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of A. J. Coffin for an amendment of the new school law that will revive the free school law of the village of Poughkeepsie, which was referred to the committee on literature.

Mr. Stone presented two petitions of ladies and gentlemen of Madison county for a law providing for the education of neglected and destitute children of the State, which was referred to the committee on charitable and religious societies.

Mr. Dimmick presented the petition of Joseph Ogden for relief from damages done to his farm by the overflow of the waters of the Chenango canal, which was referred to the committee on grievances.

Mr. Snyder presented the petition of citizens of Hudson for the incorporation of a bank for savings at Hudson, which was referred to the committee on banks and insurance companies.

Mr. Snyder also presented the petition of the Hudson and Berkshire railroad company for a law to suspend the payment of the interest and sinking fund due the State, which was referred to the committee on finance.

The President laid before the Senate the resolutions of the agricultural society of Orleans county for the establishment of an agricultural college and experimental farm, which was referred to the committee on agriculture.

Mr. Beach, from the committee on public printing, to which was referred the resolution to print 1,000 copies of the report of the inspectors of state prisons, reported in favor of printing five times the usual number of said report for the use of the Legislature, and 1,000 for the inspectors.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road company to convert their road into a plank road and to borrow money for that purpose," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cook, from the select committee, to which was referred the rules and orders of the last Senate for revision and amendment, reported the said rules with the following amendments, to wit :

In rule four, strike out all after the word "day," in the fourth line.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

In rule twenty-eight, make the 27th standing committee, "manufacture of salt;" the 28th standing committee, "internal affairs of towns and counties;" the 29th standing committee, "on public printing."

The President put the question whether the Senate would agree to the second amendment, and it was decided in the affirmative.

In rule thirty-five, strike out all after the word "except," in the first line, and insert "Gentlemen with ladies, the Governor and Lt. Governor, former Governors and Lt. Governors, former Chancellors, Justices of the Court of Appeals, Justices of the Supreme Court, former Judges of Supreme Court, Members of Congress, former Members of the Legislature, State Officers, Governor's Private and Military Secretary, the Adjutant General, Officers of the Senate, Officers of the Assembly, reporters of the Senate, persons introduced by Senators."

The President put the question whether the Senate would agree to the third amendment, and it was decided in the affirmative.

In rule thirty-six, strike out the word "members," in the first line, and insert "President, Members and Clerk;" after the word "the," in the third line, and insert the words "persons above mentioned"

The President put the question whether the Senate would agree to the fourth amendment, and it was decided in the affirmative.

Mr. Miller moved further to amend the thirty-sixth rule, by in-

serting the words "each of," before the words "the persons above mentioned."

The President put the question whether the Senate would agree to the said amendment of Mr. Miller, and it was decided in the affirmative.

In rule forty-four, after the word "members," in the second line, insert the word "present."

The President put the question whether the Senate would agree to the amendment to forty-fourth rule, and it was determined in the affirmative.

Add as rule forty-six the following: "The President shall assign to the doorkeepers their respective duties and stations."

The President put the question whether the Senate would agree to the forty-six rule, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, as amended, and it was decided in the affirmative.

The rules and orders adopted were as follows:

1. The President having taken the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake therein may be corrected.

2. After the reading and approving of the journal, the order of business shall be as follows:

1. The presentation of petitions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Communications and reports from State officers.
7. Notices and the introduction of bills.
8. Motions and resolutions.
9. Third reading of bills.
10. Special orders.
11. General orders, but messages from the Governor and Assembly, and communications and reports from State officers, may be considered at any time.

3. The clerk shall make a list of all bills and of resolutions proposing amendments to the Constitution, and of all other matters which shall be committed to a committee of the whole, in which they shall be arranged in the order in which they were introduced; which list shall be called the *General Orders of the Day*. And all such matters shall be taken up and acted upon in the several orders of business in which they may be, in order in which they stand upon the General Orders, unless the Senate shall otherwise order.

4. Whenever any bill or other matter is made the special order for a particular day, and it shall not be completed on that day, it shall retain its place in the general orders of the day, unless it shall be made the special order for another day.

5. All questions relating to the priority of business, shall be decided without debate.

6. When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate.

7. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the journals or public papers are reading; and when the President is putting a question, no Senator shall walk out of or across the House, nor when a Senator is speaking, pass between him and the chair.

8. The President shall have the right to name any member to perform the duties of the chair, who is hereby vested, during such time, with all the powers of the president; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute continue for a longer time than one day, without leave of the Senate.

9. Every member, when he speaks, shall address the chair, standing in his place. No member shall speak more than twice in any one debate on the same day without leave of the Senate.

10. When two or more members rise at once, the President shall name the member who is first to speak.

11. No motion shall be debated until the same be seconded; and it shall be reduced to writing, if desired by the President or any member, delivered in at the table, and read by the President or clerk, before the same shall be debated; but it may be withdrawn at any time before decision or amendment.

12. When a question is before the Senate, no motion shall be received, unless to lay on the table, for an amendment, for postponing it, to commit it, or to adjourn; and a motion for adjournment shall always be in order, and shall be decided without debate.

13. If the question in debate contain several points, any member may have the same divided.

14. A motion for commitment, until it is decided, shall preclude all amendments of the main proposition.

15. Every bill shall be introduced by motion for leave, or by order of the Senate on the report of a committee; and one day's notice at least shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

16. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third; which reading shall be on three different days, unless the Senate unanimously direct otherwise. No bill shall be amended or committed until it shall have been twice read; and all resolutions which propose any amendment to the Constitution, shall be treated in the form of proceedings on them, in a similar manner with bills, except that it shall not be necessary to commit such resolutions to a committee of the whole.

17. Upon a division in the Senate, the names of those who voted for or against a question, shall be entered alphabetically on the mi-

votes, if two members require it; and each member called upon, unless for special reasons he be excused by the Senate, shall declare openly and without debate, his assent or dissent to the question.

18. All committees of the Senate, and all joint committees on the part thereof, for the present session, shall be appointed by the President.

19. In forming a committee of the whole Senate, a chairman to be named by the President, shall preside. Bills committed to a committee of the whole Senate, shall in committee of the whole, be read by sections. All amendments shall be noted, and reported to the Senate by the chairman. After the report, the bill shall still be subject to debate and amendment before the question to engross is put; but such amendments only shall be in order as were offered and decided in the committee of the whole Senate, except by unanimous consent.

20. The rules of the Senate shall be observed in the committee of the whole so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken. Such committee may strike out the enacting clause of a bill, and report that fact to the Senate: and if the report be agreed to by the Senate, it shall be deemed a rejection of the bill.

21. A motion that the committee rise, shall always be in order, and shall be decided without debate.

22. After a bill or a resolution to amend the Constitution shall be ordered to a third reading, no motion to amend the same shall be in order, without unanimous consent; nor, in respect to a bill, shall such motion be in order, unless before it has had its third reading; but every bill not committed to a committee of the whole, shall be read through before it shall be ordered to a third reading.

23. When a member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

23. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

25. No member shall absent himself from the service of the Senate, without leave first obtained; and in case a less number than a quorum of the Senate shall convene, they are hereby authorised to send the sergeant-at-arms, or any other person, for any or all absent members, as the majority of such members shall agree.

26. Before any petition or memorial addressed to the Senate shall be received or read, a brief statement of the contents thereof shall be endorsed on the same, with the name of the member introducing it.

27. When a question has been once put and decided, it shall be in order for any member to move for the reconsideration thereof; but



no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion upon which the vote was taken, shall have gone out of the possession of the Senate, nor after the usual message shall have been sent from the Senate, announcing its decision; nor shall any motion for reconsideration be in order, unless made on the same day in which the vote was taken, or within the three next days of the actual session of the Senate thereafter; nor shall any question be reconsidered more than once; and the vote on the final passage of any bill appropriating the public moneys or property, or creating, continuing, altering, or renewing any body politic or corporate shall not be re-considered, whenever such bill shall be lost.

28. The following standing committees shall be appointed :

1. On claims.
2. On finance.
3. On the judiciary.
4. On the militia.
5. On canals.
6. On railroads.
7. On roads and bridges.
8. On literature.
9. On state prisons.
10. On banks and insurance companies.
11. On the division of counties and towns.
12. On agriculture.
13. On commerce and navigation.
14. On manufactures.
15. On medical societies and medical colleges.
16. On privileges and elections.
17. On engrossed bills.
18. On Indian affairs.
19. On expiring laws.
20. On public expenditures.
21. On the incorporation of cities and villages.
22. On public buildings.
23. On the poor laws.
24. On charitable and religious societies.
25. On retrenchment.
26. On grievances.
27. Manufacture of salt.
28. Internal affairs of towns and counties.
29. On public printing—And every motion to print any petition,

resolution, report, bill, message, or other manuscript, be referred to said committee. Such committee may report adversely to the printing; or they may report the number of copies which in their opinion ought to be printed; or they may recommend a part only of such papers to be printed; but no more than 1000 extra copies of any message from the Governor, nor more

than 300 extra copies of any other document, shall be ordered to be printed, unless by a majority of all the Senators elected.

29. When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

30. On motion made and seconded to shut the doors of the Senate, on the discussion of any business which may, in the opinion of any member, require secrecy, the President shall direct all persons, except the members and clerk of the Senate, to withdraw; and during the discussion of said motion, the doors shall remain shut; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

31. The proceedings of the Senate upon executive business, shall be kept in a journal separate from its proceedings upon legislative business.

32. The Senate shall go into the consideration of executive business on such days as may from time to time be deemed necessary. All nominations for the appointment of any officer shall be referred to a committee consisting of the senators from the judicial district within which the nominee may reside, and a future day for the consideration of all nominations, shall be assigned, and the consent of the Senate to the appointment of any officer, shall not be transmitted in less than one week thereafter, without the unanimous consent of the Senate; and while any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

33. All information and remarks in secret session, by any Senator, concerning the character or qualifications of any person nominated to office by the Governor, shall be kept secret.

34. When a bill, originated in the Assembly, shall have been lost there, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the Senate during the same session, unless by unanimous consent.

35. No person is to be admitted within the bar of the Senate, except gentlemen with ladies, the Governor and Lieutenant-Governor, former Governors and Lieutenant-Governors, former Chancellors, Justices of the Court of Appeals, Justices of the Supreme Court, former Judges of the Supreme Court, Members of Congress, former Members of Congress, Members of the Legislature, former Members of the Legislature, State officers, Governor's private and military secretary, the Adjutant-General, officers of the Senate, officers of the Assembly, reporters of the Senate, persons introduced by Senators.

36. None but the president, members and clerk shall be allowed to take any books or stationery belonging to the Senate, from their chamber; and on taking books, each of the persons above mentioned shall furnish to the clerk a list of those taken, and his name, and shall be responsible for them; and the clerk shall take care that

once in each week the books provided for the use of the Senate shall be placed in order, according to some fixed arrangement; and he shall make report to the president of such books as are missing.

37. The committee on engrossed bills shall examine all bills, amendments and resolutions, before they go out of possession of the Senate, and make report when they find them correctly engrossed; reports from the committee on engrossed bills shall at all times be in order. And the clerk of the Senate shall present such bills as shall have originated in the Senate and been passed by both houses, to the Governor, and enter the same upon the journals.

38. All concurrent resolutions shall lie one day on the table.

39. When a resolution shall be offered, or a motion made, to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order, viz :

1. The committee of the whole Senate.
2. A standing committee.
3. A select committee.

40. When a bill shall be reported by a committee of the whole, and not laid upon the table or postponed, or by any other committee, (except the committee on engrossed bills,) and not committed to a committee of the whole, laid on the table, or postponed, the question shall be : Shall the report be agreed to ? and when such report shall be favorable and agreed to, or when a bill shall be twice read, and not committed, laid on the table, or postponed, the question shall be : "Shall such bill be engrossed and read a third time ?" Upon such question, the merits of the bill or resolution may be debated, and a motion to commit or recommit, to lay on the table or to postpone to a future day shall be in order. If such question shall be decided in the negative, such bill shall be deemed lost ; but if it be decided in the affirmative, such bill shall, when the Senate shall order, be read a third time, and the final question shall be taken thereon, immediately after such third reading, and without debate.

41. The question on the final passage of every bill shall be taken by ayes and noes, which shall be entered on the journal ; and unless the bill receives the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the 42d rule.

42. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of two-thirds of all the members elected to pass it, and it appears that such number is not present, the bill shall be laid on the table, and shall be again read, and the final question taken thereon, as provided in the 41st rule, at such time as the Senate shall order.

43. It shall be the duty of the sergeant-at-arms to have the documents and bills upon the files of the President and Senators, placed in the order of their numbers ; and for this purpose, the messengers shall be subject to his directions.

44. No rule of the Senate shall be altered, suspended or rescinded, without a vote of a majority of all the members present of the Senate ; and no motion to suspend, alter or rescind any such rule, or any joint

rule of the two houses, shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall have been given.

45. Every report of a committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with the bill in the place in which the bill was placed thereon, and subject to the provisions of the third rule; but if a bill is made the special order of any day, and shall on that day be reported by a committee of the whole, the report may be forthwith considered unless the Senate shall otherwise order; and if not finished on that day, the bill with the report shall retain its place on the general orders, unless made the special order for another day, and the merits of a bill shall not be considered except under the head of general or special orders, unless by unanimous consent.

46. The president shall assign to the doorkeepers their respective duties and stations.

The President laid before the Senate a message from the Governor, which was in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, January 7, 1850. }

*To the Legislature:*

I herewith transmit a document which I received during the recess of the Legislature, purporting to be a protest of certain chiefs and warriors of the Seneca nation of Indians, against an act passed by the Legislature of April last in reference to their government, and asking a repeal of the said act.

In compliance with the request of the chiefs and warriors who unite in this protest, I respectfully lay their protest before the Legislature.

HAMILTON FISH.

*Ordered,* That said communication be referred to the committee on Indian affairs.

Mr. Beach gave notice that he would, at some future day, ask leave to introduce a bill respecting the taxation of banking associations and individual bankers.

In pursuance of previous notice,

Mr. Cook asked for and obtained leave to introduce a bill entitled, "An act to regulate the salary of the district attorney of the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Geddes offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved,* That the concurrent resolutions offered by him on Jan. 1, in relation to slavery, be taken from the table and referred to the

select committee having in charge so much of the annual message of the Governor as relates to slavery in territories now free.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Geddes offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the petition of the Syracuse coarse salt company, presented at the last session, be taken from the files of the Senate and referred to the committee on claims.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Geddes offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That at 12 o'clock M., on Tuesdays and Fridays, the Senate will go into executive session, until otherwise ordered.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Schoonmaker offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the honorable the Assembly be requested to transmit to the Senate the petition and papers on their files referring to the claim of Henry Rector, for compensation as architect of the new state hall.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee on cities and villages enquire and report to the Senate, at an early day, as to the propriety of passing an act to prevent burials in closely inhabited districts, and to prohibit the carrying on of manufactures or trades prejudicial to the public health within the incorporated limits of cities.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Attorney General, at his earliest convenience, communicate to the Senate what action has been taken by his department under the joint resolution of the Senate and Assembly, adopted April 10, 1848, relating to manorial titles, what suits have been commenced under said resolution, when commenced, against whom, what progress has been made therein, and the present situation of the same. And that he also report to the Senate, whether in his opinion any farther legislation is necessary to secure the objects contemplated by said resolution, and to state particularly what legislation, if any, is necessary for that purpose.

The President put the question whether the Senate would agree to said resolution, and it was determined in the affirmative.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Clerk furnish members of the Senate with additional newspapers, not exceeding in cost the sum of five dollars, during the session, and that the expense thereof be defrayed out of the contingent fund of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dart	Mr. Owen
Mr. Brown	Mr. Guinnip	Mr. Schoonmaker
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Miller	Mr. Stanton
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Curtis		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Fox	Mr. Skinner
Mr. Beach	Mr. Geddes	Mr. Stone
Mr. Beekman	Mr. Morgan	Mr. Upham
Mr. Cook	Mr. Robinson	Mr. Williams
Mr. Dimmick		

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Mr. Miller offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Clerk of the Senate be directed to procure ten times the usual number of the new diagram of the Senate chamber, prepared by Richard H. Pease, to be printed for the use of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

Mr. Cook moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Dimmick offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the petition of Augustus Morgan for damages which he received by the breaking down of a canal bridge, be taken from the files of the Senate and referred to the standing committee on claims.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of Jan. 4 in relation to the distribution of 1,200 copies of the report of the commissioners on practice and pleadings, and passed the same accordingly.

Mr. Geddes moved that the Senate do now proceed to the consideration of executive business.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes moved that the doors be closed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

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After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

A message was received from the Assembly, requesting the Senate to transmit to that House the petitions and papers of James H. Hooker in relation to canal damages.

A message was also received from the Assembly, requesting the Senate to transmit to that House the papers, documents and other evidence relating to the claim of George W. Manchester for damages occasioned by the Black river canal feeder at Boonville.

On motion of Mr. Johnson,

The Senate then adjourned until 11 o'clock to-morrow morning.

## WEDNESDAY, JANUARY 9, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Beecher.

The journal of yesterday was read and approved.

Mr. Stone presented the petition of Orrin Austin and others for a re-appraisal of certain state lands held by the petitioners and for relief, which was referred to the committee on claims.

Mr. Dart presented the petition of Wm. G. Barnhart for compensation for the loss of an island in the river St. Lawrence called Barnhart's Island which was sold by the State, which was referred to the committee on claims.

Mr. Stone presented the petition of Aaron Knapp for a re-appraisal of damages sustained by him in the construction of the Chenango canal and Leland Pond reservoir, which was referred to the committee on claims.

Mr. Babcock presented the petition of the supervisors of Erie co. for a law to increase the compensation of the treasurer of said co., which was referred to the committee on the internal affairs of towns and counties.

Mr. Schoonmaker, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the election of local officers in the county of Ulster to discharge the duties of judge and surrogate and other duties," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Dimmick, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, made a written report, and reported a bill entitled, "An act declaring the official bond of Calvin Converse, a superintendent of the poor

of the county of Cattaraugus, valid," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

(See Senate Dec. No. 12.)

Mr. Geddes, from the majority of the select committee on so much of the Governor's message as relates to slavery in territories now free, reported in writing, and offered for the consideration of the Senate the following concurrent resolutions:

*Resolved*, (if the Assembly concur,) That as the Federal Constitution was formed and adopted expressly to secure the blessings of liberty to the people of the United States, and their posterity, our Senators in Congress are hereby instructed and our Representatives are requested to use their best efforts to procure the passage of laws that will effectually and forever put an end to the slave trade in the District of Columbia.

*Resolved*, (if the Assembly concur,) That the determination indicated by the governors' messages, and the resolutions of the legislatures of various of the slave holding states, and by the Representatives of such states in Congress, to extend domestic slavery over the territory acquired by the late treaty of peace with the Republic of Mexico, we feel bound to oppose, by all constitutional means, and our Senators in Congress are hereby instructed and our Representatives are requested to resist all attempts to yield to slavery any part of such territory, however small, and by whatever pretence of compromise.

*Resolved*, (if the Assembly concur,) That the territory lying between the Neuces and Rio Grande, and that part of New Mexico lying east of the Rio Grande, is the common property of the United States, and that our Senators in Congress be instructed and our Representatives requested to use their best efforts to preserve the same as such common property, and to protect it from the unfounded claims of the state of Texas, and prohibit the extension over it of the laws of Texas.

*Resolved*, (if the Assembly concur,) That the Legislature of the State of New-York, has learned with great satisfaction, that the people of California have adopted a constitution which is entirely in accordance with the spirit of the free institutions of our country, and our Senators in Congress are hereby instructed, and our Representatives requested to aid in the passage of such laws as may be necessary to admit that state into the Union.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward copies of the foregoing resolutions to each of our Senators and Representatives in Congress.

(See Doc. No. 8.)

On motion of Mr. Geddes,

*Ordered*, That the said resolutions be laid upon the table.

Mr. Geddes moved that said resolutions, as reported by the majority of said committee, be printed.



The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to change the times and places of holding the general terms of the supreme court in the seventh judicial district.

Mr. Schoonmaker gave notice that he would, at an early day, ask leave to introduce a bill to amend the code of procedure in relation to appeals.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill to amend section 2, article 1, title 3, chapter 7, of the fourth part of the Revised Statutes, in its application to the town of Watervliet, Albany county.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to repeal the excise laws and for the regulation of taverns and groceries," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to punish and prevent frauds in the use of false stamps and labels,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act respecting the taxation of banking associations and individual bankers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Snyder offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the report of the commissioners on practice and pleadings be referred to the standing committee on the judiciary.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Dart,

*Resolved*, That the papers on the files of the Senate in relation to the claim of Asa Baxter, be taken from the files and referred to the committee on claims.

On motion of Mr. Babcock,

*Resolved*, That the Governor be respectfully requested, in his discretion, to communicate for the information of the Senate, any facts, papers or documents that may be in his possession relating to convictions upon the charge of vagrancy, and with regard to the present mode of impanelling jurors in criminal cases.

On motion of Mr. Schoonmaker,

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of the Florida bridge company, and that the same be referred to the committee on grievances.

On motion of Mr. Miller,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That the Clerk of the Senate be directed to procure ten times the usual number of the new diagram of the Senate chamber, prepared by R. H. Pease, to be printed for the use of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

Mr. Geddes moved to amend the said resolution, by striking out "ten times the usual number," and insert "five times the usual number."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Dart,

*Resolved*, That the Commissioners of the Land Office be directed to return the papers relating to the claim of William G. Barnhart to the Senate.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road," and after some time spent thereon, Mr. Geddes, from said committee, reported in favor of the passage of the same with amendments, which report was agreed, to and said bill ordered to a third reading.

On motion of Mr. Stanton, and by unanimous consent,

*Resolved* That the committee on charitable and religious societies be discharged from the further consideration of two petitions of Elizabeth S. Miller, Sarah G. Bickford, and others, concerning the education of poor children, and that the same be referred to the committee on literature.

In pursuance of previous notice, and by unanimous consent,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act for the relief of suitors in the supreme court in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Brandreth offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That there be fifteen times the usual number of the code of civil and criminal procedure, be printed for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Noyes, from the committee on the internal affairs of towns

and counties, to which was referred the bill entitled, "An act to regulate the salary of the district attorney of the county of Saratoga," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That a joint committee be appointed to revise the joint rules of the Senate and Assembly.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

*Ordered*, That Messrs. Cook, Guinnip and Geddes, be of such committee on the part of the Senate.

On motion of Mr. Schoonmaker,

The Senate then adjourned until eleven o'clock to-morrow morning.

## THURSDAY, JANUARY 10, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The Journal of yesterday was read and approved.

Mr. Morgan presented the petition of citizens of the city of New-York for the reduction of tolls on foreign salt, which was referred to the committee on manufacture of salt.

Mr. Johnson presented the petition of 92 firms engaged in the Hudson river trade praying to have the rates of wharfage equalized in the city of Albany, which was referred to the committee on commerce and navigation.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehall," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The President laid before the Senate a communication from the Commissioners of the Land Office, in the words following :

SECRETARY'S OFFICE, }  
Albany, January 9, 1850. }

Hon. G. W. PATTERSON,

*President of the Senate:*

SIR—In compliance with the resolution of the Senate I herewith return the papers relating to the claim of William G. Barnhart.

Very respectfully, Your obedient servant,

CHRISTOPHER MORGAN.

The Assembly, in compliance with a resolution of the Senate, transmitted the petition and papers relating to the claim of Henry Rector, which were referred to the committee on claims.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money, and to convert the road into a plank road."

*Ordered*, That said bill do have its third reading.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to amend certain parts of the Revised Statutes and to regulate the police of the town of Watervliet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act in relation to appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stanton gave notice that he would ask leave, at an early day, to introduce a bill to abolish imprisonment for debt in certain cases.

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill to incorporate a South Brooklyn savings bank in the city of Brooklyn.

Mr. Snyder offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the trustees of the capitol be authorised to employ a suitable person as night watch during the season that fires or lights are used in the capitol.

By unanimous consent,

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

On motion of Mr. Dart,

*Resolved*, That the papers received from the Commissioners of the Land Office relating to the claim of William G. Barnhart, be referred to the committee on claims.

On motion of Mr. Johnson,

*Resolved*, That the petition of owners of real estate on the west side of the Albany basin praying for the repeal of the law authorising the collection of double wharfage, be taken from the files of the Senate and referred to the committee on commerce and navigation.

On motion of Mr. Guinnip,

*Resolved*, That the papers on file in the Senate relating to the claim of William W. Niles, be taken therefrom and referred to the committee on grievances.

On motion of Mr. Johnson,

*Resolved*, That a respectful message be transmitted to the House

of Assembly, requesting them to transmit to the Senate the papers now on their files in the matter of the Albany City Savings Bank, and when received they be referred to the committee on banks and insurance companies.

On motion of Mr. Dart,

*Resolved*, That the Comptroller report forthwith to the Senate the entire amount in detail, paid from the Treasury for printing, binding, &c., the various reports submitted by the commissioners on practice and pleadings and the amendments thereto, (including the amended code as adopted by the Legislature of 1849,) together with the sum paid or to be paid on account of the printing of 1,200 copies of the final report of the said commissioners, authorised under the act of the last session, and also the expense of printing five times the usual number of said final report, ordered by the Assembly on the 8th inst.

On motion of Mr. Cross,

*Resolved*, That the Clerk be required to take the petition and papers relating to the claim of Cyrus P. Dunham and others from the files, and that the same be referred to the committee on claims.

On motion of Mr. Babcock,

*Resolved*, That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the petition of Thomas P. Waters for payment of losses sustained by the sinking of a canal boat on the Erie canal, and that the same, when received, be referred to the committee on claims.

On motion of Mr. Morgan,

*Resolved*, That the act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert the road into a plank road, be referred to the committee on finance.

On motion of Mr. Geddes,

*Resolved*, That the papers on the files of the Senate in relation to the claim of James and Amos King, be taken therefrom and referred to the committee on claims.

On motion of Mr. Stanton,

*Resolved*, That the Clerk of the Senate furnish the members with copies of all the reports made to the Legislature by the commissioners on practice and pleadings, provided the same can be obtained without charge.

By unanimous consent,

Mr. Morgan presented the memorial of the N. Y. State Temperance Society relating to the sale of intoxicating drinks, which was referred to the committee on the judiciary.

Mr. Miller moved that said petition be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

(See Doc. No. 10)

By unanimous consent,

Mr. Miller asked for and obtained leave to introduce a bill entitled, "An act to restrain the sale of intoxicating drinks," which

was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Miller,

*Ordered*, That said bill be printed.

By unanimous consent,

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act for the relief of suitors in the supreme court in certain cases," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

On motion of Mr. Carroll,

*Resolved*, That the judiciary committee be instructed to inquire into the propriety of so amending section 292 of the code of procedure, passed April 10, 1849, as to restrain any proceeding under that section against judgment and execution creditors, where the sum due upon judgment and execution shall be less than fifty dollars, and to report upon the same at the earliest day practicable.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The President laid before the Senate the report of the Bank of America in relation to unclaimed dividends and deposits, which was referred to the committee on banks and insurance companies.

On motion of Mr. Dart.

The Senate then adjourned until 11 o'clock to-morrow morning.

## FRIDAY, JANUARY 11, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Beecher.

The journal of yesterday was read and approved.

Mr. Owen presented resolutions of the board of supervisors of Chautauque county for a repeal or modification of the law requiring the registry of births, deaths and marriages, which was referred to the committee on the judiciary.

Mr. Owen presented the resolutions of the board of supervisors of Chautauque co. for a law to reduce the fees of the clerk of said county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Skinner presented the petition of inhabitants of Jefferson co. for a law authorising Norris M. Woodruff and Samuel Stocking to cut down certain falls on Indian river for the purpose of draining

marsh lands, which was referred to the committee on the internal affairs of towns and counties.

Mr. Noyes, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend the Revised Statutes in relation to assessors reviewing assessment rolls and fixing the time and place of their meeting," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The President laid before the Senate a communication from the Regents of the University, which was read in the words following, to wit:

*Albany, January 11, 1850.*

To the HON. GEORGE W. PATTERSON,

*President of the Senate:*

SIR,—In am instructed by the Regents of the University, to state to the Legislature that a vacancy has occurred in their board, in consequence of the death of Dr. Wendell, and further, that they have chosen Garret Y. Lansing, Chancellor of the University, in the room of the deceased.

I remain, very respectfully,

Your obedient servant,

T. ROMEYN BECK,

*Secretary of the Regents.*

The President laid before the Senate the report of the Farmers' Bank of Troy, in relation to unclaimed dividends and deposits, which was referred to the committee on banks and insurance companies.

The President laid before the Senate the annual report of the Regents of the University, on the condition of the State Cabinet of Natural History, and Historical and Antiquarian collection annexed thereto, which was referred to the committee on literature.

Mr. Upham moved that 1000 copies of said report be printed for the use of the Regents, which was referred to the committee on public printing.

A message was received from the Assembly, requesting the Senate to transmit to that House the petitions and papers of Jonas Ingraham, relating to his contract for the enlargement of section three of the Erie canal enlargement at Black Rock.

In pursuance of previous notice,

Mr. Geddes asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under execution,' passed April 11, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act for the relief of persons holding lands under perpetual leases in this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Johnson,

*Resolved*, That said bill be referred to a select committee.

*Ordered*, That Messrs. Johnson, Upham and Carroll, be said committee.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to change the times and places of holding the general terms of the supreme court in the seventh judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

Mr. Snyder gave notice that he would ask leave, on some future day, to introduce a bill conferring upon the justices of the peace of the county of Dutchess the powers of a county judge, as conferred upon said judges under chapter 2, title 9, of the code of procedure, entitled "Proceedings supplementary to the execution," in all cases where the judgment upon which the proceedings are to be taken shall have been rendered by a justice of the peace of said county.

On motion of Mr. Crolius,

*Resolved*, That the remonstrances against the repeal of certain acts for the benefit of Francis Englishbee, be taken from the files and referred to the judiciary committee.

On motion of Mr. Geddes,

*Resolved*, That the petition and papers on file in reference to the claim of William S. Gere for canal damages, be taken from the files and referred to the committee on claims.

On motion of Mr. Geddes,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting that honorable body to transmit to the Senate the petition and papers on file with them in relation to the claim of James and Amos King, and that the same be referred to the committee on claims.

On motion of Mr. Cross,

*Resolved*, That a respectful message be sent to the honorable the Assembly, requesting the papers relating to the claim of Cyrus P. Dunham there on file, be taken from said files and transmitted to the Senate, and that when so transmitted they be referred to the committee on claims.

On motion of Mr. Mann,

*Resolved*, That the petition of the heirs of James Lumbard for a distribution of the estate of Amasa Kelson, be taken from the files of the Senate and referred to the committee on claims.

By unanimous consent,

Mr. Beekman, from the joint library committee, to which was referred the communication of the speaker of the Provincial Parliament of Canada relating to the destruction of the library attached to said Parliament, reported, and offered the following concurrent resolution:

*Resolved*, (if the Assembly concur,) That the Regents of the University and the Secretary of State be directed to furnish the Provincial Parliament of Canada, a copy of the Laws, Journals and Documents



of the State of New-York, including the Natural History, and any other volumes which can be spared from his department, as a contribution from the State of New-York towards the replacement of the library of the Canadian Parliament, which was destroyed by fire on the 25th April, 1849.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

On motion of Mr. Mann,

*Resolved*, That the Secretary of State be requested to transmit to each of the judges of the court of appeals and of the supreme court, a copy of the report of the commissioners on practice and pleadings.

On motion of Mr. Schoonmaker,

*Resolved*, That the Clerk of the Senate furnish the members of the Senate each with a copy of the debates in the constitutional convention of 1846.

On motion of Mr. Snyder,

The Senate proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That the report of the commissioners on practice and pleadings be referred to the standing committee on the judiciary.

Mr. Stanton moved to amend the resolution by striking out all after the word "Resolved," and insert the following :

"(If the Assembly concur,) That the report of the Commissioners on Practice and Pleadings, be referred to a joint select committee to revise the same and report thereon, and that they be empowered and directed to invite said commissioners to appear before them during such revision."

Debate was had thereon, when

Mr. Cook moved to amend the amendment of Mr. Stanton, by inserting after the words "select committee," the words "consisting of the judiciary committees and two members of each House to be added thereto."

Pending the question thereon,

The hour of 12 o'clock having arrived, the Senate went into Executive session.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

And the Senate then again resumed the consideration of the resolution referring the report of the Commissioners on Practice and Pleadings.

Debate was had thereon, when

Mr. Cook moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the election of a local officer in the county of Ulster to discharge the duties of judge and surrogates and other duties," and after some time spent thereon, Mr.

Guinnip, from said committee, reported progress, and asked leave to sit again.

Mr. Mann moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be re-committed to the committee on the judiciary.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act declaring the official bond of Calvin Converse, a superintendent of the poor of the county of Cattaraugus, valid," and after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked leave to sit again.

Mr. Johnson moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be re-committed to the committee on the internal affairs of towns and counties, with instruction to report a general law on that subject.

Mr. Curtis moved to lay the said motion of Mr. Johnson on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

And the question recurring on the motion of Mr. Johnson, Mr. Curtis moved to amend the same by instructing the said committee to enquire and report as to the expediency of a general law on that subject, which amendment was accepted by Mr. Johnson.

The President put the question whether the Senate would agree to the said motion as amended, and it was decided in the affirmative.

On motion of Mr. Babcock,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## SATURDAY, JANUARY 12, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The journal of yesterday was read and approved.

Mr. Cook presented the petition of inhabitants of the city of Albany for the incorporation of a bank for savings, which was referred to the committee on banks and insurance companies.

Mr. Snyder presented the petition of citizens of Hudson for the incorporation of a savings bank, which was referred to the committee on banks and insurance companies.

Mr. Beekman presented the petition of Henry T. Peters and Richard Hughes for a confirmation of their title to certain lands es-

cheated to the State, which was referred to the committee on the judiciary.

Mr. Carroll presented the petition of forwarders and others upon the Champlain canal for a law requiring all railroads between the cities of Troy and Schenectady and the village of Whitehall to pay tolls on the transportation of freight, which was referred to the committee on finance.

Mr. Robinson presented the resolutions of the board of supervisors of Albany co. for the sale of lands returned for taxes in the counties where such lands are situated, which were referred to the committee on the judiciary.

Mr. Owen presented resolutions of the board of supervisors of Chautauque co. for the completion and termination of the N. Y. and Erie railroad on the original route, which was referred to the committee on railroads.

Mr. Skinner presented the petition of Norris M. Woodruff and Samuel Stocking for a law authorising them to cut away certain rocks in the bed of Indian river for the purpose draining marsh lands, which was referred to the committee on the internal affairs of towns and counties.

Mr. Stone presented the petition of Marquis Long for a law authorising the Commissioners of the Land Office to convey to him a certain island in the Chittenango creek now belonging to the State, which was referred to the committee on the judiciary.

Mr. Beekman, from the committee on literature, to which was referred a petition for that purpose, reported a bill entitled, "An act to incorporate the Jonesville Academy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred a petition for that purpose, reported a bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Dimmick, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act declaring the official bond of Calvin Converse, a superintendent of the poor of Cattaraugus county, valid," with instructions to report a general law on that subject, reported a bill entitled, "An act to extend the time for county superintendents of the poor to take the oath of office and execute and file their official bond," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Snyder asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Hudson Savings Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Geddes,

*Resolved*, That the resolutions reported by the select committee upon so much of the Governor's message as relates to the extension of slavery over territory now free, be made the special order for Wednesday next at 12 o'clock, M.

On motion of Mr. Dart,

*Resolved*, That the papers on file in the Senate relating to the bridge-crossing of the northern railroad, be taken from the files and referred to the committee or railroads.

On motion of Mr. Dimmick,

*Resolved*, That the resolutions of the board of supervisors of Allegany county be taken from the committee on the judiciary, and that the same be referred to the committee on the internal affairs of towns and counties.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That it be referred to the judiciary committee to inquire and report into the expediency of so amending the law in relation to general and special elections, as to provide that there shall be but one form of ballot necessary to be used at any such election, and of such changes or modifications of such law as will prevent the uncertainty, inconvenience and confusion of separate ballots and endorsements.

Mr. Schoonmaker moved to amend said resolution by striking out "judiciary committee," and inserting the words "committee on privileges and elections.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Schoonmaker,

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of the heirs of James Lumbard, and that the same be referred to the standing committee on the judiciary.

On motion of Mr. Schoonmaker,

*Resolved*, That the Clerk of the Senate furnish the President of the Senate with a copy of the debates of the constitutional convention, and that he pay for the same, and those already ordered, out of the contingent fund of the Senate.

Mr. Owen offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That the Secretary of State be directed to furnish to each of the members and officers of the constitutional convention of 1846, a copy of the debates in that body, and that the expense thereof be paid out of any moneys in the hands of the Treasurer not otherwise appropriated.

*Ordered*, That said resolution be laid upon the table.

The Senate then resolved itself into a committee of the whole on

the bill entitled, "An act to regulate the salary of the district attorney of the county of Saratoga," and after some time spent thereon, Mr. Mann, from said committee, reported in favor of the passage of the same without amendment, which report was agreed, to and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of suitors in the supreme court in certain cases," and after some time spent thereon, Mr. Cross, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Carroll,

The Senate then adjourned until eleven o'clock Monday morning.

## MONDAY, JANUARY 14, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The journal of Saturday was read and approved.

Mr. Geddes presented the petition of Oliver Barker, praying for a law directing a reappraisal of damages sustained by him by reason of the raising of the waters of the Geddes level on the Erie canal, which was referred to the committee on claims.

Mr. Geddes presented the resolutions of the board of supervisors of Onondaga county, in favor of repealing the law in relation to births, marriages and deaths, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Tuttle presented the petition of Thomas Marvin of Delaware county, praying for the passage of a law compensating him for the loss of a horse employed in the service of that county during the year 1845, which was referred to the committee on claims.

Mr. Geddes presented the resolutions of the common council of the city of Syracuse, in relation to salt lands, which was referred to the committee on the manufacture of salt.

Mr. Brown presented to petition of Gilbert Hopkins, of Ravenswood, Queens co., praying for privilege to build piers and docks in the East river in front of his lands, which was referred to the committee on commerce and navigation.

Mr. Robinson presented the resolutions and petition of the board of supervisors of Allegany county, praying for a law conferring on assessors the power to examine upon oath all persons assessed in re-

lation to their personal property, and also to examine witnesses in relation thereto, which were referred to the committee on the internal affairs of towns and counties.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to regulate the salary of the district attorney of the county of Saratoga;

"An act for the relief of suitors in the supreme court in certain cases.

*Ordered*, That said bills do have their third reading.

Mr. Curtis, from the committee on grievances, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of Joseph Ogden," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the election of a local officer in the county of Ulster to discharge the duties of judge and surrogate and other duties," reported in favor of the passage of the same with amendments, and the title altered so as to read "An act to authorise the election of a special county judge in the county of Ulster," which was committed to the committee of the whole.

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, January 12, 1850. }*

*To the Senate :*

In compliance with the resolution of the Senate, adopted on the 9th inst., and requesting the Governor, in his discretion, to communicate for the information of the Senate, any facts, papers or documents that may be in his possession relating to convictions upon the charge of vagrancy, and with regard to the present mode of empannelling jurors in criminal cases, I have the honor to transmit herewith certain papers and letters which have been addressed to me on the subjects referred to in the resolution of the Senate. A schedule of the accompanying papers is subjoined.

HAMILTON FISH.

*Ordered*, That the said communication be referred to the committee on the judiciary.

The President laid before the Senate a communication from the Comptroller enclosing an abstract of returns made by cities and incorporated villages, under resolution of the Senate of April 2, 1849, which was referred to the committee on the incorporation of cities and villages.

The President laid before the Senate the report of the Albany City Bank in relation to unclaimed dividends and deposits, which was referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Stanton asked for and obtained leave to introduce a bill entitled, "An act further to abolish imprisonment for debt when the people of the State are a party," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That in the judgment of the Senate the objects to be attained by savings banks or corporations, cannot be secured to the community by a general law for that purpose.

Mr. Cook moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Crolius gave notice that he would, at some future day, introduce a bill to make the offices of health officer and deputy health officer of the port of New-York salary offices.

Mr. Babcock offered for the consideration of the Senate, the following concurrent resolutions, to wit:

*Resolved*, (if the Assembly concur,) That it be recommended to the Senators and Representatives of the State of New-York in Congress of the United States, to use their best efforts to procure the passage of a law during the present session of Congress which shall reduce the postage chargeable on all letters, not exceeding half an ounce in weight, carried in the United States mail, for all distances within the United States and the territories thereof, to five cents, and for any additional weight, to five cents for each half ounce, or for any fraction less than half an ounce; and in case of prepayment at the post-office where such letters are deposited, such postage to be further reduced to two cents for each half ounce in weight, and to two cents additional for each additional half ounce and fraction less than half an ounce.

*Resolved*, (if the Assembly concur,) That it is unjust and inexpedient that the expenses of unproductive mail routes, of free letters and documents, of dead letters, and the excess of the cost of transporting in the mails, newspapers and pamphlets beyond the postage charged on them, should be borne solely by those who send and receive letters; that such service is for the benefit of the whole people, and its expense should be defrayed from the common treasury, if the revenues of the post-office department under a reduced rate of postage, should prove insufficient; and that said Senators and Representatives be requested to use their best efforts for an early removal of this oppressive and unequal tax upon the business and social relations of the people.

*Resolved*, (if the Assembly concur,) That the Governor be requested to transmit copies of these resolutions to said Senators and Representatives.

*Ordered*, That the said resolutions be laid upon the table.

Mr. Babcock moved that said resolutions be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Skinner,

*Resolved*, That the Comptroller be directed to furnish the chairman of the standing committee on retrenchment with a copy of the last annual report of the health officer of the city of New-York.

On motion of Mr. Curtis,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of the Florida bridge company, and that the same be referred the Canal Commissioners.

On motion of Mr. Tuttle,

*Resolved*, That the papers and affidavits in relation to the claim of Thomas Marvin, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Snyder,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That the report of the commissioners on practice and pleadings be referred to the standing committee on the judiciary.

And the question being upon the motion of Mr. Stanton to amend the said resolution by striking out all after the word "Resolved," and insert as follows :

"(If the Assembly concur,) That the report of the Commissioners on Practice and Pleadings, be referred to a joint select committee to revise the same and report thereon, and that they be empowered and directed to invite said commissioners to appear before them during such revision."

Debate was had thereon, when

Mr. Stanton withdrew his said amendment, and the amendment to said amendment heretofore proposed by Mr. Cook, was also withdrawn.

Mr. Cook moved to amend said resolution of Mr. Snyder, by striking out all after the word "resolved," and inserting the following :

"(If the Assembly concur,) That the codes of civil and criminal procedure, reported complete by the commissioners on practice and pleadings, be referred to a joint committee consisting of the judiciary committee of the Senate, with two Senators added thereto, and such committee as the Assembly may appoint, whose duty it shall be to examine the codes and report thereon to the Legislature."

Mr. Stanton moved to amend the said amendment, by striking out of said resolution the words "with two Senators added thereto."

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion of Mr. Stanton, and it was determined in the negative.

Mr. Upham moved to amend the said amendment as offered by Mr. Cook, by adding at the end thereof the words, "and that they be empowered and directed to invite said commissioners to appear before them, during such revision."



**Mr. Cook** accepted of **Mr. Upham's** amendment.

**Mr. Geddes** moved to amend the said amendment, by striking out thereof such words as relates to the action of the Assembly, so that it shall read as follows:

*Resolved*, That the codes of civil and criminal procedure, reported complete by the commissioners on practice and pleadings, be referred to a committee consisting of the judiciary committee, with two Senators added thereto, whose duty it shall be to examine the codes and report thereon to the Senate, and that they be empowered and directed to invite said commissioners to appear before them during such revision.

Debate was had thereon, when

**Mr. Geddes** withdrew his said amendment.

**Mr. Snyder** renewed the amendment offered by **Mr. Geddes**.

Debate was had thereon, when

The President put the question whether the Senate would agree to said amendment of **Mr. Snyder**, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

<b>Mr. Babcock</b>	<b>Mr. Dart</b>	<b>Mr. Owen</b>	
<b>Mr. Brandreth</b>	<b>Mr. Mann</b>	<b>Mr. Schoonmaker</b>	
<b>Mr. Carroll</b>	<b>Mr. Morgan</b>	<b>Mr. Snyder</b>	
<b>Mr. Curtis</b>	<b>Mr. Noyes</b>	<b>Mr. Tuttle</b>	12

#### FOR THE NEGATIVE.

<b>Mr. Beekman</b>	<b>Mr. Cross</b>	<b>Mr. Robinson</b>	
<b>Mr. Brown</b>	<b>Mr. Dimmick</b>	<b>Mr. Skinner</b>	
<b>Mr. Cook</b>	<b>Mr. Geddes</b>	<b>Mr. Stanton</b>	
<b>Mr. Crolius</b>	<b>Mr. Guinnip</b>	<b>Mr. Upham</b>	
<b>Mr. Crook</b>	<b>Mr. Miller</b>	<b>Mr. Williams</b>	15

The question then recurring on the motion of **Mr. Cook** to amend the resolution of **Mr. Snyder**,

**Mr. Cook** moved to lay the said question on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

**Mr. Brandreth** offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress, be requested to recommend the adoption of a law making newspapers postage free, in each congressional district where printed.

**Mr. Brandreth** moved that said resolution be laid upon the table and printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President laid before the Senate a communication from the Attorney General, in answer to a resolution of the Senate of Janu-

ary 8th, relating to suits commenced to test the validity of manorial titles.

(See Senate Doc. No. 26.)

Mr. Carroll moved to print five times the usual number and 500 copies for the Attorney General, which motion was referred to the committee on public printing.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Governor to designate a judge or judges of the supreme court and the courts of oyer and terminer in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled, "An act to regulate the salary of the district attorney of the county of Saratoga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act for the relief of suitors in the supreme court in certain cases," was read the third time and passed, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849," and after some time spent thereon, Mr. Curtis, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Crolius,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## TUESDAY, JANUARY 15, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

Mr. Schoonmaker presented the petition of inhabitants of Catskill for an amendment of the charter of the Schenectady and Catskill railroad company, which was referred to the committee on railroads.

Mr. Carroll presented the petition of Fitzsimmons and Brady for relief from damages sustained by the construction of the Erie canal, which was referred to the committee on claims.

Mr. Fox presented the petition of Charles Ehle for a law allowing him to present his claim against the State for canal damages to the Canal Appraisers, and for a re-appraisal of damages, which was referred to the committee on claims.

Mr. Cook, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act respecting the taxation of banking associations and individual bankers," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert the said road into a plank road," reported in writing favorably to the passage of the same with amendments.

(See Doc. No. 13.)

Mr. Dart moved that said report and bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred so much of the message of the

Governor as relates to local and municipal taxation, reported, and offered the following resolution :

*Resolved*, That the committee on cities and villages be discharged from the further consideration of local and municipal taxation, and that the same be referred to the standing committee on the internal affairs of towns and counties.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred a petition for that purpose, reported a bill entitled, "An act to amend the charter of the village of Astoria in Queens county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of January 11, in relation to furnishing books to the Canadian Parliament.

Mr. Beekman presented the annual report of the trustees of the State library, which was referred to the joint library committee.

(See Doc. No. 29.)

Mr. Beekman moved that 500 extra copies for the use of the Regents of the University be printed.

*Ordered*, That said motion be referred to the committee on public printing.

The President laid before the Senate a communication from the Comptroller, in the words following :

COMPTROLLER'S OFFICE, }  
Albany, Jan. 15, 1850. }

To the Hon. G. W. PATTERSON,

*President of the Senate:*

SIR—I have the honor to transmit to you a copy of the last annual report of the health officer of the city of New-York, in compliance with a resolution of the Senate passed on the 14th inst.

I am with great respect,

Your obedient servant,

WASHINGTON HUNT.

*Comptroller.*

*Ordered*, That said report be referred to the committee on retrenchment.

The President laid before the Senate a communication from the New-York State Agricultural Society in the words following, to wit:

STATE AGRICULTURAL ROOMS, }  
Albany, January 15, 1850. }

Hon. G. W. PATTERSON,

*President of the Senate:*

The annual meeting of the State Agricultural Society will be held to-morrow, the 16th, at the Capitol, at 12 o'clock, the Hon. the Senate are most respectfully invited to attend the meeting.

I am very respectfully yours,

B. P. JOHNSON,

*Cor. Secretary.*

The President laid before the Senate a communication from the Secretary of State, in the words following, to wit :

SECRETARY'S OFFICE }  
Albany, January 14, 1850. }

The Hon. GEORGE W. PATTERSON,  
*President of the Senate.*

SIR—I have the honor to acknowledge the receipt of a resolution of the Senate of the 11th instant, requesting me to transmit to each of the judges of the court of appeals and of the supreme court, a copy of the report of the commissioners on practice and pleadings.

There are no copies of the report in this office, I am unable therefore, to comply with the resolution of the Senate.

Very respectfully, your obedient servant,  
CHRISTOPHER MORGAN.

By unanimous consent,

Mr. Mann, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising the Governor to designate a judge or judges of the supreme court to hold the circuit courts and the courts of oyer and terminer in certain cases," reported in favor of the passage of the same with amendments.

On motion of Mr. Mann,

*Ordered*, That said bill do have its third reading.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to incorporate the South Brooklyn savings bank," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Schoonmaker gave notice that he would, at an early day, ask leave to introduce a bill to obviate difficulties in certain powers of sale.

On motion of Mr. Cook,

The Senate proceeded to the consideration of the resolution heretofore offered by Mr. Snyder, in the words following, to wit :

*Resolved*, That the report of the Commissioners on Practice and pleading be referred to the standing committee on the judiciary.

The question being upon the motion of Mr. Cook, to amend the said resolution of Mr. Snyder, by striking out all after the word "Resolved," and insert the following, to wit :

"(if the Assembly concur,) That the codes of civil and criminal procedure, reported complete by the Commissioners on Practice and Pleadings, be referred to a joint committee consisting of the judiciary committee of the Senate with two Senators added thereto, and such committee as the Assembly may appoint, whose duty it shall be to examine the codes and report thereon to the Legislature, and that they be empowered and directed to invite said Commissioners to appear before them during such revision.

Mr. Stanton moved to amend the amendment of Mr. Cook, by

striking out from the last part of the resolution the words "and directed," and by adding at the end thereof the words "if they shall deem it expedient," which motion of Mr. Stanton was accepted by Mr. Cook as a part of his amendment.

Debate was had thereon, when

The President put the question whether the Senate would agree to the amendment of Mr. Cook, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis	Mr. Robinson	

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FOR THE NEGATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Mann	Mr. Schoonmaker
Mr. Brandreth	Mr. Morgan	Mr. Snyder
Mr. Carroll	Mr. Noyes	

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The hour of 12 o'clock having arrived, Mr. Schoonmaker moved the Senate proceed to executive business.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution of Mr. Snyder, as amended, and it was decided in the affirmative.

Mr. Carroll offered for the consideration of the Senate the following concurrent resolutions, to wit :

*Resolved*, (if the Assembly concur.) That our Senators in Congress are hereby instructed, and our Representatives requested, to use their best efforts to secure the passage of an act establishing a uniform rate of postage throughout the United States, of two cents on all letters weighing half an ounce, if pre-paid, or five cents for each half ounce if not pre-paid.

Also, (for the purpose of more satisfactorily testing the practicability of such a reduction of the postage rates,) to use their best efforts to secure by further enactment, the keeping of a distinct account of all matter allowed to pass through the mails free of postage, and to make the same, except such as shall relate to the business of the post-office department, a charge, at the rates of other mail matter, upon the treasury of the United States.

Also, to use their best exertions, by further enactment, to provide for the conveyance by mail, postage free, of all regular newspapers

in the United States, within the counties in which they are printed and published.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward copies of the foregoing resolution to each of our Senators and Representatives in Congress.

Mr. Carroll moved that the said resolutions be laid upon the table and printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Crolius,

*Resolved*, That the Clerk be directed to take from the files the papers presented at the last session having reference to the fees and compensation of the health officer of the port of New-York, and that they be referred to the committee on retrenchment.

Mr. Curtis moved that the resolution of the Senate of yesterday referring the petition of the Florida bridge company to the Canal Commissioners be reconsidered, and that the same when received be referred to the standing committee on grievances.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Tuttle,

*Resolved*, That a respectful message be directed to the Assembly, requesting of that honorable body the transmission to the Senate of the papers on file with them in relation to the claim of Thomas Marvin.

On motion of Mr. Babcock,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting that the petition and papers on the files of the Assembly for the year 1849, in relation to the claim of Elizabeth N. Granger, James N. Granger and Warren Granger, be sent to the Senate, and when received that said papers be referred to the committee on canals.

On motion of Mr. Beach,

*Resolved*, That the petition of Augustus Stockwell be taken from the files of the Senate, and referred to the committee on claims.

On motion of Mr. Carroll,

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The bill from the Assembly entitled, "An act authorising the Governor to designate a judge or judges of the supreme court to hold the circuit court and court of oyer and terminer in certain cases," was read a third time.

By unanimous consent,

The title of said bill was altered so as to read as follows: "An act authorising the Governor to designate a justice or justices of the supreme court to hold the circuit court and the court of oyer and terminer."

Mr. President put the question whether the Senate would agree

to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

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## FOR THE NEGATIVE.

Mr. Cook	Mr. Johnson	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849," and after some time spent thereon, Mr. Curtis, from said committee, reported progress, and asked for leave to sit again.

Mr. Mann moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be re-committed to the committee on literature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to extend the time for county superintendents of the poor, elected in November, 1849, to take the oath of office and file their official bond," and after some time spent thereon, Mr. Cook, from said committee, reported in favor of the passage of the same with amendment, which report was agreed, to and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to incorporate the Jonesville Academy," and after some time spent thereon, Mr. Carroll, from said committee, reported progress, and asked leave to sit again.

Mr. Cook moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be re-committed to the committee on literature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.



A resolution was received from the Senate for concurrence, in the words following, to wit :

*Resolved*, (if the Senate concur,) That the Governor be requested and authorised to procure a suitable block or blocks of stone from some quarry or quarries in the State of New-York, and to have the same properly prepared, and the name and coat of arms engraved thereon, and forwarded, at the expense of the State, to be placed in and constitute a portion of the Washington monument now in progress of erection in the city of Washington, the amount of such expenditure not to exceed the sum of two thousand dollars.

Mr. Mann moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, requesting the Senate to transmit to that body the petitions of the Stockbridge Indians, and the papers on file relative to the creation of a fund for their benefit.

On motion of Mr. Guinnip,

The Senate then adjourned until 11 o'clock to-morrow morning.

## WEDNESDAY, JANUARY 16, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The journal of yesterday was read and approved.

Mr. Cross presented the petition of Henry C. Murphy, praying for a grant of land under water in front of his land at New Utrecht, Kings co., which was presented to the committee on commerce and navigation.

Mr. Mann presented the petition of the heirs of Richard J. Wilson, praying for compensation for services in lieu of military bounty lands, which was referred to the committee on claims.

Mr. Schoonmaker presented the petition of sundry inhabitants of the town of Kingston, Ulster co., praying for a geological survey of said county, which was referred to the committee on agriculture.

Mr. Mann presented the petition of John Harris and others, praying for relief from damages sustained by them in the construction of the Champlain canal.

Mr. Mann moved that said petition be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Cross moved that said petition be referred to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to extend the time for county superintendents of the poor elected in November, 1849, to take the oath of office and file their official bond."

*Ordered*, That the said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to change the times and places of holding the general terms of the supreme court in the seventh judicial district," reported in favor of the passage of the same with amendments, which was committed to a committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Marquis Long, praying for a law authorising the Commissioners of the Land Office to convey to him a certain island in the Chittenango creek now belonging to the state, reported, and asked to be discharged from the further consideration of said petition.

*Ordered*, That the said report be laid upon the table.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Orin Austin and others, for a reappraisal of certain state lands obtained from the Stockbridge Indians, reported in writing adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Stone moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach, from the committee on public printing, reported in favor of printing five times the usual number of the report of the Regents of the University for the use of the Legislature, and one thousand copies for the use of said Regents.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate in relation to the appointment of a night watch for the capitol.

A message was received from the Assembly requesting the Senate to transmit to that body the petitions and papers on their files in relation to the repeal of the laws authorising double dockage in the city of Albany, which was laid on the table.

The President laid before the Senate a statement of the Poughkeepsie Savings Bank in relation to the condition of said bank, which was referred to the committee on banks and insurance companies.

Mr. Morgan gave notice that, at an early day, he would ask leave

to introduce a bill to allow contracts of loan and forbearance on personal security for short periods.

Mr. Williams gave notice that he would, on some future day, ask leave to introduce a bill to amend the law respecting harbor masters for the port of New-York.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill to amend "An act for the more effectual prevention of fires in the city of New-York," passed March 7, 1849.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to obviate difficulties in certain powers of sale," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Cook,

The Senate proceeded to the consideration of a resolution heretofore offered by him, in the words following:

*Resolved*, That in the judgment of the Senate the objects to be obtained by savings banks or corporations, cannot be secured to the community by a general law for that purpose.

Mr. Schoonmaker moved to amend the said resolution, by striking out all after the word "resolved," and insert the following:

"That it be referred to the Attorney General to report whether, in his opinion, under the 4th section of the 8th article of the Constitution the Legislature have power to create a savings bank by a special act of incorporation."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The question recurring on the resolution as amended,

Mr. Babcock moved further to amend the said resolution, by inserting after the word "bank," the words "or institution."

The President put the question whether the Senate would agree to said amendment of Mr. Babcock, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee on commerce and navigation be discharged from the further consideration of the petitions relating to double wharfage in the city of Albany.

Mr. Johnson moved to lay said resolution on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Geddes,

*Resolved*, That the New-York institution of civil engineers be permitted to use this chamber this evening for their annual meeting.

The bill entitled, "An act to extend the time for county superin-

tendents of the poor, elected in November, 1849, to take their oath of office and file their official bond," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

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## FOR THE NEGATIVE.

Mr. Curtis	Mr. Mann	Mr. Stone	3
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the election of a special county judge in the county of Ulster," and after some time spent thereon, Mr. Beekman, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the resolutions in relation to slavery in the District of Columbia and territories now free, reported by a majority of the select committee of which Mr. Geddes is chairman, in the words following :

*Resolved*, (if the Assembly concur,) That as the Federal Constitution was formed and adopted expressly to secure the blessings of liberty to the people of the United States, and their posterity, our Senators in Congress are hereby instructed and our Representatives are requested to use their best efforts to procure the passage of laws that will effectually and forever put an end to the slave trade in the District of Columbia.

*Resolved*, (if the Assembly concur,) That the determination indicated by the governors' messages, and the resolutions of the legislatures of various of the slave holding states, and by the Representatives of such states in Congress, to extend domestic slavery over the territory acquired by the late treaty of peace with the Republic of Mexico, we feel bound to oppose, by all constitutional means, and our Senators in Congress are hereby instructed and our Representatives are requested to use their best efforts to prohibit by positive enactment, the extension of slavery over any part of such territory, however small, and by whatever pretence of compromise.

*Resolved*, (if the Assembly concur,) That our Senators in Congress be instructed, and our Representatives requested, to resist firmly, and to the utmost of their ability, and by such positive legislation as may be necessary, the extension of human slavery, or the jurisdiction of Texas over any part of New-Mexico.

*Resolved*, (if the Assembly concur,) That we have learned with great satisfaction, that the people of California have adopted a constitution which is entirely in accordance with the spirit of the free institutions of our country, and our Senators in Congress are hereby instructed, and our Representatives requested to aid in the passage of such laws as may be necessary to admit that state into the Union.

*Resolved*, (if the Assembly concur,) That the people of this State are desirous of preserving inviolate the Federal Union, and that they will strenuously oppose all attempts, from whatever source they may emanate, or under whatever pretence they may be made, to effect its dissolution.

*Resolved*, (if the Assembly concur,) That the Governor be requested to transmit a copy of the foregoing resolutions to each of the Senators and Representatives from this State in Congress.

Mr. Guinnip moved that the further consideration of said resolutions be postponed until the 22d day of February next.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Brandreth  
Mr. Brown

Mr. Guinnip  
Mr. Noyes

Mr. Skinner

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#### FOR THE NEGATIVE.

Mr. Beach  
Mr. Beekman  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross  
Mr. Curtis

Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan  
Mr. Owen

Mr. Robinson  
Mr. Schoonmaker  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upbam  
Mr. Williams

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Mr. Skinner moved to amend the said resolutions by striking out all after the word "Resolved," and insert the following :

That the people of the State of New-York are strongly attached to the Federal Union, and consider its preservation a matter of the highest interest to themselves, the whole country, and the cause of civil liberty ; that, while to sustain it on their own part, they will faithfully abide by all the provisions, compacts, and compromises of the constitution, they will also firmly oppose all attempts from whatever source they may come, and under whatever pretence they may be made, to dissolve the Union.

*Resolved*, (if the Assembly concur,) That the people of the State of New-York are opposed to the extension of slavery into any territory of the United States, where it does not now exist, and that our Senators in Congress are hereby instructed, and our Representatives requested, to use their best efforts to prevent, by all constitutional means, such extension.

*Resolved*, (if the Assembly concur,) That the people of the State of New-York have learned with great satisfaction, that the people of California have adopted a constitution which is in accordance with the free institutions of our country, and our Senators in Congress are hereby instructed, and our Representatives requested, to vote for the admission of California into the Union as a State.

A division of the question being called,

The President put the question whether the Senate would agree to the said motion to strike out, and it was determined in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	
		14

FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoenmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	
		17

The question recurring on the adoption of the first resolution,

Mr. Stone moved to amend the first resolution by inserting after the word "posterity," the words, "therefore the Federal Government ought to relieve itself from all responsibility for the existence or continuance of slavery or the slave trade, wherever it has the constitutional power over those subjects, and."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Upham
		24

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Johnson	Mr. Williams
Mr. Brown	Mr. Morgan	8

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson,	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis	Mr. Noyes	29

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Brown	Mr. Schoonmaker	3
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The question being upon the second resolution as reported by the committee,

Mr. Skinner moved to amend the same by striking out the word "prohibit," and insert the word "prevent," and to insert after the word "enactment," the words, "whenever necessary."

A division of the question being called,

The President put the question whether the Senate would agree to the said motion to strike out the word "prohibit," and it was decided in the negative.

## FOR THE AFFIRMATIVE.

Mr. Mann	Mr. Skinner	2
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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
		30

The President then put the question whether the Senate would agree to the motion to insert after the word "enactment," the words "whenever necessary," and it was decided in the negative.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis	Mr. Noyes	

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## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Brown	Mr. Skinner	3
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The question being on the passage of the third resolution, Mr. Stone moved to amend the said resolution by striking out the words, "extension of human slavery or."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Crook	Mr. Fox
Mr. Brown	Mr. Dart	Mr. Stone
Mr. Carroll		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beach	Mr. Geddes	Mr. Robinson
Mr. Beekman	Mr. Johnson	Mr. Snyder
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

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Mr. Stanton moved that said third resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :



## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Carroll	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Skinner	Mr. Tuttle
Mr. Dart		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Cross		

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The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis		

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## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Crook	Mr. Noyes
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Tuttle

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The President then put the question whether the Senate would agree to the passage of the 4th resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle

Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Crook	Mr. Morgan	Mr. Williams	
Mr. Cross	Mr. Noyes		32

The President then put the question whether the Senate would agree to the passage of the 5th resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen	
Mr. Beach	Mr. Dart	Mr. Robinson	
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker	
Mr. Brandreth	Mr. Fox	Mr. Skinner	
Mr. Brown	Mr. Geddes	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stanton	
Mr. Colt	Mr. Johnson	Mr. Stone	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Crook	Mr. Morgan	Mr. Williams	
Mr. Cross	Mr. Noyes		32

The President then put the question whether the Senate would agree to the passage of the 6th resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver the said resolutions to the Assembly, and request their concurrence therein.

Mr. Curtis moved the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson	
Mr. Brandreth	Mr. Guinnip	Mr. Snyder	
Mr. Brown	Mr. Noyes	Mr. Stone	
Mr. Carroll			10

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen	
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker	
Mr. Colt	Mr. Fox	Mr. Skinner	
Mr. Cook	Mr. Geddes	Mr. Stanton	
Mr. Crolius	Mr. Johnson	Mr. Tuttle	
Mr. Crook	Mr. Mann	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	21

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of Joseph Ogden," and after some time spent thereon, Mr. Crook, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Stone,

The Senate then adjourned until 11 o'clock to-morrow morning.

## THURSDAY, JANUARY 17, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The journal of yesterday was read and approved.

Mr. Cross and Mr. Carroll presented two several petitions of inhabitants of Kings and Rensselaer counties for a law to provide for the education of neglected and destitute children of the State, which were referred to the committee on literature.

Mr. Colt presented eleven several petitions of inhabitants of Ontario and Yates counties, and the stockholders of the Canandaigua and Corning railroad company, for an amendment of the charter of the Canandaigua and Corning railroad, which were referred to the committee on railroads.

Mr. Curtis, from the committee on grievances, to which was referred the petition for that purpose, reported a bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Geddes, from the committee on railroads, to which was referred so much of the Governor's message as relates to railroads, reported a bill entitled, "An act to amend the act to authorise the formation of railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

On motion of Mr. Geddes,

The Senate proceeded to the consideration of the report of the committee on finance on the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert the said road into a plank road," and the question being upon agreeing to the report of said committee, striking out the tenth section of said bill, as follows :

§ 10. The comptroller of this state is hereby authorised to loan to said commissioners, from the capital of the common school fund, the sum of ten thousand dollars, or part of said sum, under the provisions, and upon the securities mentioned in this act, and upon such loan, shall give notice thereof to the clerk of the said board of supervisors, which notice shall be entered in the minutes of the said board of supervisors.

Debate was had thereon, when

Mr. Dart moved to lay said report on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred so much of the Governor's message

as relates to the assessment and collection of taxes, reported in writing, and introduced a bill entitled, "An act to amend the law for the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Doc. No 19.)

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bill :

"An act to authorise the election of a special county judge in the county of Ulster."

*Ordered*, That said bill do have its third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act authorising the Governor to designate a justice or justices of the supreme court to hold the circuit court and the courts of oyer and terminer in certain cases."

*Ordered*, That the Clerk return said bill to the Assembly.

The President laid before the Senate a communication from the Comptroller in answer to a resolution of the Senate of January 10, relative to the expense of printing the reports of the commissioners on practice and pleadings, which was laid on the table.

Mr. Cook gave notice that he would, at an early day, ask leave to introduce a bill to amend the act relating to the redemption of bank notes, passed May 4, 1840.

Mr. Guinnip gave notice that he would, at an early day, ask leave to introduce a bill to repeal an act entitled, "An act to incorporate the Hector and Catherine turnpike road and bridge company," passed April 15, 1823."

Mr. Babcock gave notice that he would, at some future day, ask leave to bring in a bill to amend the act entitled, "An act to provide for the construction of a railroad from Attica to Hornellsville," passed May 14, 1845.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act to make the offices of health officer and deputy health officer of the port of New-York salary offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to enable the Kingston and Middletown turnpike road company to sell their road, wayrights, and other property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Morgan gave notice that he would, at a future day, ask leave to introduce a bill to revise and amend the existing laws relative to the assessment of taxes in the city of New-York.

Mr. Miller offered for the consideration of the Senate, the following concurrent resolution, to wit:

*Resolved*, (if the Assembly concur,) That the Legislature of the State of New-York earnestly request the Senators and Representatives from this State in Congress, to use their utmost influence to procure the establishment, by law, of a Bureau of Agriculture in the Department of the Interior of our National Government, whose duty it shall be to aid in promoting the general interests of agriculture throughout the Commonwealth.

*Ordered*, That said resolution be laid upon the table.

Mr. Brandreth offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That all the safety fund banks, and other banking institutions of this State, be required to report to the Senate yearly, a statement, verified by the proper officers, of all the unclaimed dividends and unclaimed deposits, since their commencement of business, including the aggregate amount on hand on the 1st January, 1850, and stating what disposition, if any have been made, of such funds.

Mr. Mann moved that said resolution be referred to the committee on banks and insurance companies.

The President put the question whether the Senate would agree the said resolution, and it was decided in the affirmative.

The bill entitled, "An act to authorise the election of a special county judge in the county of Ulster," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the charter of the village of Astoria in Queens county," and after some time spent thereon, Mr. Babcock, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Brandreth,

*Resolved*, That the committee on banks and insurance companies enquire as to the propriety of reporting a bill requiring all the banks of this State, once in five years, to transfer to the Common School Fund all unclaimed dividends and deposits which shall be subject to recovery by the owner at any time within five years thereafter.

On motion of Mr. Babcock,

*Resolved*, That the standing committee on banks and insurance companies be instructed to inquire and report upon the expediency of allowing any bank, banking association or individual banker, having an authorised capital of at least \$200,000, to establish at any point within this State one or more offices of discount and deposit, at which any portion of the authorised capital of such bank, banking association or individual banker, not exceeding one half, may be used in the ordinary business of banking.

On motion of Mr. Mann,

The Senate proceeded to the consideration of the resolution heretofore received from the Assembly, in the words following, to wit :

*Resolved*, (if the Senate concur,) That the Governor be requested and authorised to procure a suitable block or blocks of stone from some quarry or quarries in the State of New-York, and to have the same properly prepared, and the name and coat of arms engraved thereon, and forwarded, at the expense of the State, to be placed in and constitute a portion of the Washington monument now in progress of erection in the city of Washington, the amount of such expenditure not to exceed the sum of two thousand dollars.

Mr. Mann moved to refer said resolution to the committee on finance, with instructions to report a bill on that subject.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

The President laid before the Senate the following communication :

To the Hon. G. W. PATTERSON,

*President of the Senate:*

The following is an extract from the minutes of the New-York State Institution of Civil Engineers of January 16, 1850 :

*Resolved*, That the thanks of this institution be tendered to the Senate for the use of the Senate Chamber for the purposes of this meeting.

E. W. SERRELL.

*Acting Pres't.*

WILLIAM PITT, *Actuary.*

On motion of Mr. Schoonmaker,  
The Senate then adjourned until 11 o'clock to-morrow morning.

## FRIDAY, JANUARY 18, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The journal of yesterday was read and approved.

Mr. Brandreth presented the petition of inhabitants of Yorktown, Westchester county, for the repeal of the act passed May 18, 1836, to straighten and improve the road from Peekskill to the store of James Towner in the town of Patterson, which was referred to the committee on roads and bridges.

Mr. Mann presented the petition of Henry Neejer and others for damages sustained by him in consequence of the diversion of the waters of the Black river, which was referred to the committee on claims.

Mr. Mann presented the petition of sundry inhabitants of Ontario co. praying that property may be carried on railroads free of toll, which was referred to the committee on finance.

Mr. Upham presented the petition of Ann Arnold, of Stafford, Genesee co., for a law confirming her title to certain real estate of which James Thomas died seised, which was referred to the committee on the judiciary.

Mr. Upham presented the petition of the directors and stockholders of the Exchange Bank of Genesee for a law authorising a change of their place of business, which was referred to the committee on banks.

Mr. Upham presented the petition of Mary Thomas, of Stafford, Genesee co., for a law confirming her title to certain real estate of which James Thomas, an alien, died seised, which was referred to the committee on the judiciary.

Mr. Morgan presented the memorial of the board of supervisors of New-York for an act to revise and amend the existing laws relative to the assessment of taxes in the city of New-York and to reduce them into one act, which was referred to a select committee composed of Senators from New-York.

Mr. Morgan presented the memorial of Moses H. Grinnell and 221 others for a revision of the assessment laws relating to the city of New-York, which was referred to a select committee composed of Senators from New-York.

Mr. Babcock, from the committee on the judiciary, to which was ferred a petition for that purpose, reported in writing, and introduced a bill entitled, "An act to release to the relatives of Emma Hughes, late of London in England, deceased, the interest of the people of the State of New-York in certain personal property," which was read the first time, and by unanymous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 18.)

Mr. Dart, from the committee on railroads, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company," which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole.

A message was received from the Assembly, informing that they do non-concur in the resolution of the Senate in relation to the reference of the report of commissioners on practice and pleadings.

The President laid before the Senate the annual report of the Seamen's Bank for Savings in the city of New-York, which was referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Cook asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act relating to the redemption of bank notes,' passed May 4, 1840," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled, "An act to revise and condense into one, the several acts relating to the harbor masters of the port of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the Attica and Hornelsville railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled, "An act to allow contracts of loan and forbearance on personal security for short periods," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Owen gave notice that he would, at an early day, introduce a bill in relation to the location and construction of the New-York and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque.

On motion of Mr. Fox,

*Resolved*, That a respectful message be sent to the Assembly, requesting that honorable body to transmit to the Senate the petitions and papers relative to the claim of James Folts and others, and that the same when received be referred to the committee on claims.

Mr. Snyder offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the report of the commissioners on practice and



pleadings be referred to the committee on the judiciary, and that said committee be empowered to invite before them and confer with the said commissioners and other persons, if they shall deem it necessary, at such time or times as may be deemed expedient.

Mr. Carroll moved to amend said resolution, by inserting after the word "judiciary," the words "with two Senators to be added thereto."

The President put the question whether the Senate would agree to the amendment of Mr. Carroll, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Miller
Mr. Brown	Mr. Dimmick	Mr. Noyes
Mr. Carroll	Mr Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Tuttle
Mr. Crolius	Mr. Guinnip	Mr. Upham
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Cross		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brandreth	Mr. Owen	Mr. Stanton

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The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

*Ordered,* That Messrs. Cross and Stanton be of such committee.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the charter of the village of Astoria in Queens county."

*Ordered,* That the said bill do have its third reading.

On motion of Mr. Mann,

*Resolved,* That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the petition of Clogher and Johnson, with the accompanying papers, and that the same when received be referred to the committee on claims.

On motion of Mr. Skinner,

*Resolved,* That the standing committee on retrenchment be discharged from the further consideration of so much of the Governor's message as relates to the compensation of health officer of the city of New-York, and that the same be referred to the standing committee on commerce and navigation.

On motion of Mr. Mann,

*Resolved,* That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the petition of Whiting Tuttle and others for the appraisal of damages occasioned by a breach in the Black river canal feeder, and that the same when received be referred to the standing committee on grievances.

On motion of Mr. Robinson,

*Resolved*, That his excellency the Governor be respectfully requested to communicate to the Senate any statistical or other information in his possession relating to Asiatic cholera, for the use of the standing committee on medical societies and colleges.

The bill entitled, "An act to amend the charter of the village of Astoria in Queens county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of Joseph Ogden," and after some time spent thereon, Mr. Crook, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Dimmick moved that the said bill and amendments offered in committee of the whole by Mr. Schoonmaker, be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to settle and pay the claim of William W. Niles for the destruction of his property on the Long Island farms," and after some time spent thereon, Mr. Colt, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act respecting the taxation of banking associations and individual bankers," and after some time spent thereon, Mr. Noyes, from said committee, reported progress, and asked and obtained leave to sit again.

Leave of absence was granted to Mr. Geddes for two days.

On motion of Mr. Dart,

The Senate proceeded to the consideration of the report of the committee on finance on the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road," and the ques-

tion being on agreeing to the report of said committee striking out the 10th section of said bill,

The President put the question whether the Senate would agree to the said report, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Upham
Mr. Brown	Mr. Mann	Mr. Williams
Mr. Colt	Mr. Morgan	
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FOR THE NEGATIVE.

Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Crook	Mr. Guinnip	Mr. Snyder
Mr. Cross	Mr. Johnson	Mr. Stanton
Mr. Curtis	Mr. Miller	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Tuttle
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The hour of 12 o'clock having arrived, the Senate went into Executive session.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

On motion of Mr. Schoonmaker,

The Senate then adjourned until 11 o'clock to-morrow morning.

SATURDAY, JANUARY 19, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The journal of yesterday was read and approved.

Mr. Upham presented the memorial of the trustees of Genesee College, praying for aid from the State in erecting their college buildings, which was referred to the committee on finance.

Mr. Beekman presented the memorial of the New-York institution for the reformation of juvenile delinquents, praying for an appropriation for the erection of additional buildings, which was referred to the committee on poor laws.

Mr. Crolius moved that said petition be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Stone presented the petition of Sylvanus Stroud and others, praying for a law extending the time for the collection of taxes in the town of Lenox, Madison co., which was referred to the committee on the internal affairs of towns and counties.

Mr. Snyder presented the remonstrance of sundry citizens of Dutchess county, against an act to amend the Revised Statutes in relation to assessments and the duty of assessors, which was referred to the committee of the whole when on the bill upon that subject.

Mr. Snyder presented the petition of sundry citizens of Dutchess co., praying for the adoption of measures for the speedy settlement of the manorial difficulties, which was referred to the select committee on that subject of which Mr. Johnson is chairman.

Mr. Cross presented the petition of the Brooklyn gas light company, praying for amendment of their charter, which was referred to the committee on trade and manufactures.

Mr. Guinnip presented the petition of sundry inhabitants of Yates co., praying for a railroad from Canandaigua to Jefferson, Chemung co., which was referred to the committee of the whole when on the bill upon that subject.

Mr. Miller, from the committee on literature, to which was referred a petition for that purpose, reported a bill entitled, "An act to establish a free school in district number 3, in the town of Newtown," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the joint select library committee, to which was referred so much of the annual message of the Governor as relates to the State Library, reported a bill entitled, "An act relative to the State Library and the Regents of the University," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on public printing, reported in favor of printing the usual number, and 500 additional copies, of the report of the trustees of the State Library, for the use of the Regents of the University.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Morgan, from the committee on finance, to which was referred the concurrent resolution from the Assembly, in relation to the Washington Monument, with instructions to report a bill, reported a bill entitled, "An act to provide for a donation of blocks of stone to the National Washington Monument," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on roads and bridges, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act to enable turnpike road companies in certain cases to sell their road, way-rights and other property," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The President laid before the Senate a communication from the Attorney General, relative to savings banks, in the words following:

ATTORNEY GENERAL'S OFFICE, }  
Albany, January 18, 1850. }

Hon. G. W. PATTERSON,

SIR—Herewith I have the honor to transmit, through you, to the Senate, my report in answer to a resolution of the Senate of the 11th instant.

Very respectfully yours,  
L. S. CHATFIELD,  
Attorney General.

*Ordered*, That said report be laid upon the table.

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill to divide the sixth and seventh wards of the city of Brooklyn.

Mr. Owen gave notice that he would, at an early day, introduce a bill to amend the act entitled, "An act to provide for the incorporation of villages, passed Dec. 7, 1847."

In pursuance of previous notice,

Mr. Guinnip asked for and obtained leave to introduce a bill entitled "An act to repeal the charter of the Hector and Catharine road and bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Dart moved that the engrossed bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their said road into a plank road," be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That in the judgment of the Senate, the objects to be attained by corporations for saving banks or institutions cannot be attained by a general law for that purpose.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brown  
Mr. Cook  
Mr. Crolius

Mr. Cross  
Mr. Curtis  
Mr. Dimmick

Mr. Miller  
Mr. Upham  
Mr. Williams

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## FOR THE NEGATIVE.

Mr. Carroll  
Mr. Colt  
Mr. Crook  
Mr. Dart

Mr. Fox  
Mr. Guinnip  
Mr. Mann  
Mr. Noyes

Mr. Skinner  
Mr. Stone  
Mr. Tuttle

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Mr. Cook moved the Senate reconsider its vote on the said resolution.

Mr. Cook moved that said motion to reconsider be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Crook,

*Resolved*, That the petition of John Harris and others, mill owners at Fort Miller dam, asking to have their title to said dam quieted, and also to be indemnified for injuries done and to be protected for the future, be referred to the Canal Board, who are required to report what are the rights of said mill owners, and what further legislation, if any, is necessary to protect such mill owners as to title to these rights, and also what damages have been incurred by petitioners by the acts of inhabitants living above such dam, which the State ought to pay.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act respecting the taxation of banking associations and individual bankers," and after some time spent thereon, Mr. Noyes, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to change the times and places of holding the supreme court in the seventh judicial district," and after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road," and after some time spent thereon, Mr. Skinner, from said committee, reported progress, and asked for and obtained leave to sit again.

The President laid before the Senate a message from the Governor, in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, January 19, 1850. }*

*To the Legislature:*

I transmit a communication purporting to be a request in behalf of the council of the Seneca Nation of Indians, that delay may be had before acting upon the protest of certain chiefs and warriors of that Nation, which I had the honor to transmit to the Legislature on the 7th inst.

HAMILTON FISH.

(See Doc. No. 21.)

*Ordered,* That the said communication be referred to the committee on indian affairs.

On motion of Mr. Noyes,

The Senate then adjourned until eleven o'clock Monday morning.

MONDAY, JANUARY 21, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The journal of Saturday was read and approved.

Mr. Owen presented the petition of supervisors and superintendents of the poor of Cattaraugus co. for a law to confirm to said county the title to a certain lot of land, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of David C. Stewart and others for the re-organisation of the police of the town of Watervliet, which was referred to the committee on the incorporation of cities and villages.

Mr. Owen, from the committee on railroads, to which was referred the bill entitled, "An act to amend the charter of the Attica and Hornellsville railroad company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cook, from the committee on banks and insurance companies, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Exchange Bank of Genesee to change its place of business," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The following resolutions were received from the Assembly for concurrence, to wit :

*Whereas*, A resolution has been introduced in the Senate of the United States, instructing the committee on public lands to inquire and report on the propriety of setting apart a portion of the public domain, to be granted free of all charges to the exiles of Hungary already arrived and hereafter to arrive in the United States, as well as to the exiles fleeing from oppression in other European countries ; therefore

*Resolved*, (if the Senate concur,) That this Legislature is in favor of the measure proposed, and that our Senators and Representatives are requested to do all in their power to carry it into effect ; provided that the persons receiving the lands shall become actual settlers thereon.

*And Whereas*, A large portion of the people of our own country are landless and without homes ; therefore,

*Resolved*, (if the Senate concur,) That our Senators be instructed and our Representatives be requested, to make the public lands free, in limited quantities, to all actual settlers who are citizens of the United States, who are not the owners of land or possessed of the means of purchasing it : Congress to retain the power of making special grants.

*Resolved*, (if the Senate concur,) That the Governor of this State be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives from this State in Congress.

The President put the question whether the Senate would agree the said resolutions, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred therein without amendment.

Mr. Beekman presented the annual report of the East River Savings Institution in the city of New York, which was referred to the committee on banks and insurance companies.

On motion of Mr. Crolius,

*Resolved*, That all papers in relation to the law passed the last session of the Legislature, legalising the new government of the Seneca Indians, be taken from the files of the Senate and referred to the committee on Indian affairs.

On motion of Mr. Cross,

*Resolved*, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate the papers and documents there on file relating to the amendment of the charter of the village of Waterloo, and when received they be referred to the committee on cities and villages.

On motion of Mr. Carroll,

The Senate proceeded to the consideration of resolutions heretofore offered by him on the subject of a reduction of postage.

Mr. Carroll moved that said resolutions, together with those offered by Mr. Babcock and Mr. Brandreth on the same subject, be referred to the committee on literature.



The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Miller,

*Resolved*, That the papers now on file in the Senate, presented at the last session, in relation to the repeal of an act passed May 18, 1836, to straighten and improve the road from Peekskill to the store of James Towner in the town of Patterson, be taken from the files and referred to the committee on roads and bridges.

Leave of absence was granted to Mr. Brandreth for three days.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act respecting the taxation of banking associations and individual bankers," and after some time spent thereon, Mr. Noyes, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road," and after some time spent thereon, Mr. Skinner, from said committee, reported in favor of the passage of the same without amendment.

The question being on agreeing to the report of the committee of the whole,

Mr. Morgan moved to amend the said report, by striking out the 10th section of said bill.

The President put the question whether the Senate would agree to the amendment of Mr. Morgan, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Colt	Mr. Morgan
Mr. Beach	Mr. Cook	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Miller	Mr. Schoonmaker 12

#### FOR THE NEGATIVE.

Mr. Carroll	Mr. Dart	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Cross	Mr. Skinner	Mr. Williams
Mr. Curtis		18

The President put the question whether the Senate would agree to the report of the committee of the whole on said bill, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

On motion of Mr. Brown,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, JANUARY 22, 1850.

The Senate met pursuant to adjournment.

Mr. Geddes acting as President pro tem., by appointment, under the 7th standing rule of the Senate.

Prayer by the Rev. Mr. Hall.

The journal of yesterday was read and approved.

Mr. Cook presented the petition of the president and trustees of the village of Waterford, praying for an amendment of their charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Cross presented the petition of the trustees of the village of Waterloo, praying for an amendment of their charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Beekman presented the petition of the New-York Orphan Asylum, praying for an amendment of their charter to enable them to hold real estate worth \$200,000, which was referred to the committee on charitable and religious societies.

Mr. Mann presented the petition of the board of supervisors of Oneida co., praying for the repeal of the law exempting corporations from taxation when not in the receipt of income, and to abolish the office of surrogate, and to repeal the law exempting clergymen from taxation, which was referred to the committee on the internal affairs of towns and counties.

Mr. Owen presented the petition of sundry citizens of Cattaraugus co., relative to the location of the New-York and Erie railroad, which was referred to the committee on railroads.

Mr. Mann presented the petition of the Utica water works company, praying for an increase of their capital stock, which was referred to the committee on the incorporation of cities and villages.

The President presented the proceedings of a public meeting held at Rochester in relation to the Hydrostatic method of weighing canal boats, which was referred to the committee on canals.

Mr. Cook, from a majority of the committee on banks and insurance companies, to which was referred the bill entitled, "An act to amend an act relating to redemption of bank notes, passed May 4, 1840," reported in writing favorably to the passage of same, which was committed to the committee of the whole.

(See Doc. No. 25 )

Mr. Beekman moved to print five times the usual number of the said report, which motion was referred to the committee on public printing.

Mr. Crolius, from the committee on trade and manufactures, to which was referred the petition for that purpose, reported in writing

a bill entitled, "An act to amend the act to incorporate a gas light company in the village of Brooklyn, passed April 18, 1825, and to confirm their election of directors," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on public printing, to which was referred the motion to print five times the usual number of the report of the committee on banks and insurance companies on the bill entitled, "An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," reported in favor of printing five times the usual number for the use of the Legislature.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The Assembly returned the resolution of the Senate of Jan. 9, relative to the appointment of a joint committee to revise the joint rules of the two Houses, with a message informing that they have concurred in the passage of the same, and had appointed Messrs. A. B. Davis, Pruyn, Burroughs, L. D. Smith and Bowen, to be of such committee on the part of the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act further to amend an act to authorise the construction of a railroad from New-York to Albany, passed May 12, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A message was received from the Assembly requesting the Senate to transmit to that House the papers on file in the Senate in relation to the claim of Zebulon Moore.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the county of Erie." which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to divide the 6th and 7th wards and establish the boundaries and civil divisions of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill to amend an act entitled, "An act to incorporate the Livingston suspension bridge company," passed March 26, 1849."

Mr. Geddes gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act to exempt from execution the homestead of a householder having a family."

In pursuance of previous notice, and by unanimous consent, Mr. Geddes asked for and obtained leave to introduce a bill en-

titled, "An act to exempt from execution the homestead of a householder having a family," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Fox for three days.

On motion of Mr. Babcock and by unanimous consent,

*Resolved*, That the committee on the internal affairs of towns and counties be discharged from the further consideration of the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the county of Erie," and that the same be ordered to a third reading.

Mr. Noyes, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road."

*Ordered*, That the said bill do have its third reading.

Said bill then coming up for a third reading,

Mr. Cook moved that the same be re-committed to the committee of the whole.

Debate was had thereon, when

The hour of 12 o'clock having arrived, the President announced the order of Executive business.

Mr. Cook moved that the order of Executive business be postponed.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

The question recurring on the motion of Mr. Cook to re-commit,

Debate was had thereon, when

Mr. Cook withdrew his said motion to re-commit.

Mr. Johnson moved that the Senate do now proceed to the consideration of Executive business.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road," coming up for a third reading,

On motion of Mr. Dart and by unanimous consent,

Said bill was amended by striking out the 10th section thereof.

The said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brown  
Mr. Carroll

Mr. Dart  
Mr. Dimmick  
Mr. Geddes  
Mr. Guinnip

Mr. Owen  
Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner

Mr. Cook	Mr. Johnson,	Mr. Snyder	
Mr. Crolius	Mr. Mann	Mr. Stone	
Mr. Crook	Mr. Miller	Mr. Tuttle	
Mr. Cross	Mr. Morgan	Mr. Upham	
Mr. Curtis	Mr. Noyes	Mr. Williams	29

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to settle and pay the claim of William W. Niles for the destruction of his property on the Long Island farms," and after some time spent thereon, Mr. Colt, from said committee, reported progress, and asked for and obtained leave to sit again.

A communication from the Albany Medical College was received and read, in the words following, to wit :

The members and officers of the Senate are invited to attend the annual commencement of the Albany Medical College, this, Tuesday evening, at 8 o'clock.

A message was received from the Assembly, requesting the Senate to transmit to that body certain petitions respecting the sale of salt lands at Syracuse, and the remonstrances of the Syracuse coarse salt company and others against the same.

The President put the question whether the Senate would agree to said request, and it was decided in the affirmative.

On motion of Mr. Johnson,

The Senate then adjourned until 11 o'clock to-morrow morning.

## WEDNESDAY, JANUARY 23, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The journal of yesterday was read and approved.

Mr. Colt presented eight petitions of inhabitants of Ontario, Yates and Steuben counties for amendment of the charter of the Canandaigua and Corning railroad company, which were committed to the committee of the whole when on a bill for that purpose.

Mr. Stanton and Mr. Mann presented two petitions of inhabitants of Erie and Seneca counties for a release of tolls on the central railroads, which were referred to the committee on finance.

Mr. Upham and Mr. Miller presented four petitions of inhabitants of Genesee and Monroe counties for an appropriation to the Genesee college, which were referred to the committee on finance.

Mr. Dimmick presented the petition of citizens of Broome co. for a law to protect mechanics in the erection of buildings, which was referred to the committee on the judiciary.

Mr. Babcock presented the petition of inhabitants of Buffalo for the reduction of tolls on salt, which was referred to the committee on salt.

Mr. Stanton presented the petition of inhabitants of Seneca co. for a law to drain lands overflowed by the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Beekman presented the petition of citizens of New-York for a law prohibiting burials in cities and villages, which was referred to the committee on the incorporation of cities and villages.

Mr. Geddes presented the petition of the Onondaga Indians for payment of the principal of their annuities, which was referred to the committee on indian affairs.

Mr. Beekman presented the petition of the Cypress Hill Cemetery, for a law that deeds by cemeterys of burial plats may be acknowledged without proof other than the due execution and corporate seal, which was referred to the committee on the judiciary.

Mr. Colt presented the petition of Daniel H. Fitzhugh and others for authority to sell certain lands of which Wm. W. Wadsworth died seised, which was referred to the committee on the judiciary.

Mr. Mann presented the petition of Oneida bank for the redemption of bank notes at par in the city of New-York, which was referred to the committee of the whole when on the bill upon that subject.

Mr. Geddes moved that said petition be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll presented the petition of the officers of the Rensselaer and Columbia turnpike company, for a law to change the location of a gate and to lease a portion of their road, which was referred to the committee on roads and bridges.

Mr. Snyder presented the petition of Mary Hamel for a release of the title of the state to certain lands of which her husband, Hugh Hamel, died seised, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of Oliver Barker for relief from damages sustained by the filling of his cellar with water from the Erie canal, which was referred to the committee on claims.

Mr. Johnson presented the petition of Andrew Yates and others, stockholders of the Caughnewaga bridge company, for relief.

Mr. Johnson moved to refer said petition to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Ann Smalldon and Mary Thomas of Stafford, Genesee co., for a law confirming their title to certain property,

reported in writing, and asked to be discharged from the further consideration of said petition.

(See Doc. No. 23.)

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to release the interest of the state in certain real estate of which Mary Price died seised to the county of Cattaraugus," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Geddes, from the committee on railroads, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the Schenectady and Catskill railroad company," which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and to which was referred the bill entitled, "An act to amend certain parts of the Revised Statutes, and to regulate the police of the town of Watervliet," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to divide the sixth and seventh wards and establish the boundaries and civil divisions of the city of Brooklyn," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill entitled, "An act to incorporate the Jonesville Academy," reported in favor of the passage of the same with amendments, which was committed to a committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to make the offices of health officer and deputy health officer of the port of New-York salary offices," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the majority of the committee on commerce and navigation, to which was referred the bill entitled, "An act to revise and condense into one the several acts relating to the harbor masters of the port of New-York," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

The following resolutions were received from the Assembly for concurrence, to wit:

*Resolved*, (if the Senate concur,) That this Legislature has seen with profound satisfaction, the patriotic and constitutional recommendation of the President of the United States, that wise and

sufficient appropriations be made for the construction of harbors and the improvement of the navigation of rivers.

*Resolved*, (if the Senate concur,) That our senators and representatives in Congress, will reflect and express the wishes of the people of the State of New-York, in advocating such bill as will best facilitate the speedy and complete improvement of the harbors and rivers of our country.

Mr. Mann moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President laid before the Senate the annual report of the Canal Appraisers, which was referred to the committee on canals.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the Lewiston suspension bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Snyder gave notice that he would, at a future day, ask leave to introduce a bill to amend section 2, of chapter 202, of Session Laws of 1838.

On motion of Mr. Cook,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting that the papers on file in that House relative to the canal claim of Stewart, William Logan and Barro, be taken from the files thereof and sent to the Senate, and when received they be referred to the committee on claims.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee on the judiciary be directed to prepare and report to the Senate, an act to make counties, towns, cities and incorporated villages, individually liable for all property within their limits which shall be destroyed by mobs or riotous assemblages.

Mr. Mann moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Upham,

*Resolved*, That the bill to authorise the Exchange Bank of Genesee to change its place of business, be referred to the same committee of the whole having in charge a bill for the relief of W. W. Niles.

On motion of Mr. Cook,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting the papers on file in that House relative to the claim of John Stewart & Co., may be taken therefrom and sent to



the Senate, and when received they be referred to the committee on claims.

On motion of Mr. Babcock,

*Resolved*, That the act entitled, "An act to extend the time for the collection of taxes in the county of Erie," be re-committed to the standing committee on the internal affairs of towns and counties, with instructions to amend the same by making it a general act.

Mr. Colt gave notice that, at some future day, he would ask leave to introduce a bill to amend the act entitled, "An act to vest in the boards of supervisors certain legislative powers."

By unanimous consent,

Mr. Beach, from the committee on public printing, to which was referred the motion to print an extra number of the report of the Attorney General in relation to suits commenced to determine the validity of manorial titles, reported in favor of printing the usual number of said report for the use of the Legislature.

Mr. Carroll moved to amend the report of the committee by striking out the "usual number," and inserting "five times the usual number for the use of the Legislature, and 500 copies for the use of the Attorney General."

Said amendment was accepted by Mr. Beach as the report of the committee.

The President put the question whether the Senate would agree to the said report as amended, and it was decided in the affirmative.

Mr. Cross asked to be excused from serving upon the select committee to which was referred the report of the commissioners on practice and pleadings.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

Mr. Stanton asked to be excused from serving upon the same committee.

The President put the question whether the Senate would agree to the said request, and it was decided in the negative.

Mr. Geddes moved that the select committee to which was referred the report of the commissioners on practice and pleadings, be discharged from the further consideration of said report, and that the same be referred to the standing committee on the judiciary.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms,"

"An act to authorise the Exchange Bank of Genesee to change its place of business," and after some time spent thereon, Mr. Colt, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Colt, from the same committee, reported in favor of the passage of said last mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Babcock,

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act further to amend 'An act to provide for the construction of a railroad from Attica to Hornellsville,' passed May 14, 1845," and after some time spent thereon, Mr. Brown, from said committee, reported in favor of the passage of the same with the title thereof amended so as to read as follows: "An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845," which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of Joseph Ogden," and after some time spent thereon, Mr. Johnson, from said committee, reported in favor of the passage of the same with the title thereof amended so as to read as follows: "An act authorising the appraisal and payment of canal damages to Joseph Ogden," which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the act to authorise the formation of railroad corporations," and after some time spent thereon, Mr. Morgan, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the holding of a county court and court of sessions in the county of Schoharie," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act authorising the supervisors of Dutchess county to remove the poor house of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Crolius,

The Senate then adjourned until 11 o'clock to-morrow morning.

## THURSDAY, JANUARY 24, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hall.

The journal of yesterday was read and approved.

Mr. Beach presented the petition of David Tomlinson for the repeal of the law taxing leases, which was referred to the committee on the judiciary.

Mr. Schoonmaker presented the petition of sundry inhabitants of Ulster co., for an amendment of the assessment laws in relation to the taxation of mortgages, which was referred to the committee on the internal affairs of towns and counties.

Mr. Beekman presented the memorial of John P. Cummings and Thomas Cummings, remonstrating against the amendment of the charter of the Hudson river railroad, which was referred to the committee on railroads.

Mr. Cross presented the petition of Cyrus P. Dunham and others, for payment of damages claimed under an award of the canal appraisers, which was referred to the committee on claims.

Mr. Robinson presented the resolutions of the board of supervisors of Allegany co., for a law to legalize their proceedings and to amend the free school law, which were referred to the committee on literature.

Mr. Colt presented the remonstrance of members of the bar in the 7th judicial district, against changing the place of holding the terms of the supreme court in said district, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Owen presented the petition of sundry inhabitants of Chautauque co., for the location of the New-York and Erie railroad on the original route, which was referred to the committee on railroads.

Mr. Beekman presented the memorial of the college of physicians and surgeons of the university of New-York, for aid from the State, was referred to the committee on finance.

Messrs. Skinner and Robinson presented two petitions of sundry inhabitants of Brownville and Almond, for an act prohibiting the sale of intoxicating drinks, which were referred to the committee on the judiciary.

Mr. Upham presented two petitions of sundry inhabitants of Genesee co. for an appropriation to Genesee college, which were referred to the committee on finance.

Mr. Morgan, from the committee on finance, to which was referred the petition for that purpose, reported the bill entitled, "An act imposing tolls upon freight transported upon the Saratoga and Schenectady and the Rensselaer and Saratoga railroads," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

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Mr. Morgan, from the committee on finance, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to provide for the appraisal and payment of damages to Augustus Morgan," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to allow contracts of loan and forbearance on personal security for short periods," reported, in writing, the bill to the Senate for its consideration, which was committed to the committee of the whole.

(See Doc. No. 30)

Mr. Brandreth, from the committee on public printing, to which was referred the resolution to print fifteen times the usual number of the report of the commissioners on practice and pleadings, reported and recommended that five times the usual number of said report be printed for the use of the Legislature.

Mr. Cook moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

Mr. Geddes, from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act further to amend an act to authorise the construction of a railroad from New-York to Albany, passed May 14, 1846," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the Utica water works company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the county of Erie," reported in favor of the passage of the same with

amendments, and altered the title so as to read "An act to extend the time for the collection of taxes."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Colt moved that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the village of Waterford," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act authorising the supervisors of Dutchess county to remove the poor house of said county," reported adverse to the passage of said bill.

Mr. Snyder moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act authorising the appraisal and payment of canal damages to Joseph Ogden,"

"An act further to amend the charter of the Attica and Hornells-ville railroad company, passed May 14, 1845,"

"An act to authorise the Exchange Bank of Genesee to change its place of business."

*Ordered*, That said bills do have their third reading.

The President laid before the Senate the annual report of the Institution for the Savings of Merchant's clerks in New-York, which was referred to the committee on banks and insurance companies.

The President laid before the Senate a communication, in the words following, to wit :

To the Hon. the MEMBERS OF SENATE :

GENTLEMEN—You are respectfully solicited to attend the festival and fair of Clinton Union No. 26, Daughters of Temperance, to be held at Bleecker Hall, on Thursday and Friday, 24th and 25th instant.

By order,

MARY SCOTT, R. S.,  
Pr., M. L. P.

By unanimous consent,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to amend an act to establish courts of civil and criminal jurisdiction in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

Mr. Cross moved that said bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Cook,

The Senate proceeded to the consideration of the resolutions heretofore received from the Assembly, in the words following, to wit :

*Resolved*, (if the Senate concur,) That this Legislature has seen with profound satisfaction, the patriotic and constitutional recommendation of the President of the United States, that wise and sufficient appropriations be made for the construction of harbors and the improvement of the navigation of rivers.

*Resolved*, (if the Senate concur,) That our senators and representatives in Congress, will reflect and express the wishes of the people of the State of New-York, in advocating such bill as will best facilitate the speedy and complete improvement of the harbors and rivers of our country.

Mr. Mann moved to amend the first resolution, by striking out the words "and constitutional."

The President put the question whether the Senate would agree to the said motion to strike out, and it was determined in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

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#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolus	Mr. Morgan	

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Mr. Stanton moved to amend the first resolution by striking out all after the words " (if the Senate concur,)" and inserting the following :

"That the constitution of the United States has vested in Congress the exclusive power to regulate commerce amongst foreign nations and among the several states, and as there cannot be an extensive commercial intercourse with foreign nations without safe and convenient harbors on the sea coast, nor between the several states without sundry improvements in river and lake harbors, therefore it

is the duty of Congress to make wise and liberal appropriations for the improvement of such harbors and rivers."

Debate was had thereon, when

Mr. Carroll moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

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FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

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The question recurring on the motion of Mr. Stanton to amend the first resolution,

A division of the question being called,

The President put the question whether the Senate would agree to strike out, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

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FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

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Mr. Stanton moved to amend said resolution by adding at the end thereof the following :

"Provided, such appropriations as the President recommends, whether for works begun or to be begun, are such as the wants of the country, and especially the advance of our population over new

districts, and the extension of commerce, may render necessary; and provided such appropriations can be made with a due regard to other necessary appropriations which may be made out of the treasury during the present session of Congress."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

14

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

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Mr. Mann moved to amend the first resolution by striking out all after the words "if the Senate concur," and insert the following :

*Resolved*, (if the Assembly concur,) That the recent message of the President of the United States in relation to California, in which he recommends to Congress not to establish a territorial government over "the territory commonly designated by the name of New Mexico," and advises that body to wait "the silent effect of causes, independent of the action of Congress," to settle "the subject which now excites such painful sensations in the country," (meaning the extension of slavery,) is a just and merited rebuke to those of his supporters in this state, who have for mere political purposes, professed on this subject opinions in opposition to those of the administration at Washington, and affords conclusive evidence that the friends of the present administration of the National Government intend to wait "the silent effect of causes, independent of the action of Congress," to settle the question of freedom or slavery in the territories, and that they are not in favor of enacting the Jeffersonian ordinance of freedom for that purpose, notwithstanding their oft-repeated professions to the contrary.

*Resolved*, (if the Assembly concur,) That "the claim advanced by the State of Texas to a very large portion of the most populous district of the territory commonly designated by the name of New Mexico," is not in the opinion of this Legislature any good reason why Congress should delay the establishment of a territorial government over said territory, for the protection and security of the lives and property of its inhabitants.

*Resolved*, (if the Assembly concur,) That the policy recommend-



ed by the President, of non-interference by Congress on the subject which now in his opinion excites such painful sensations in the country, is contrary to the policy which the friends of the President in this State have heretofore professed to advocate, and that notwithstanding such recommendation by the President, we are in favor of positive and speedy action by Congress on the subject, and are decidedly opposed to waiting "the silent effect of causes, independent of the action of Congress," to settle a subject which "excites such painful sensations in the country."

Mr. Upham rose to a point of order, and submitted that a motion to strike out and insert was not now in order, in as much as the Senate had once decided not to strike out.

The President decided the point of order to be well taken.

Mr. Mann then moved to amend the first resolution, by adding at the end thereof the following :

*Resolved*, (if the Assembly concur,) That the recent message of the President of the United States in relation to California, in which he recommends to Congress not to establish a territorial government over "the territory commonly designated by the name of New Mexico," and advises that body to wait "the silent effect of causes, independent of the action of Congress," to settle "the subject which now excites such painful sensations in the country," (meaning the extension of slavery,) is a just and merited rebuke to those of his supporters in this State, who have for mere political purposes, professed on this subject opinions in opposition to those of the administration at Washington, and affords conclusive evidence that the friends of the present administration of the National Government intend to await "the silent effect of causes, independent of the action of Congress," to settle the question of freedom or slavery in the territories, and that they are not in favor of enacting the Jeffersonian ordinance of freedom for that purpose, notwithstanding their oft repeated professions to the contrary.

*Resolved*, (if the Assembly concur,) That "the claim advanced by the State of Texas to a very large portion of the most populous district of the territory commonly designated by the name of New Mexico," is not, in the opinion of this Legislature, any good reason why Congress should delay the establishment of a territorial government over said territory, for the protection and security of the lives and property of its inhabitants.

*Resolved*, (if the Assembly concur,) That the policy recommended by the President, of non-interference by Congress on the subject which now in his opinion excites such painful sensations in the country, is contrary to the policy which the friends of the President in this State, have heretofore professed to advocate, and that notwithstanding such recommendation by the President, we are in favor of positive and speedy action by Congress on the subject, and are decidedly opposed to waiting "the silent effect of causes independent of the action of Congress," to settle a subject which "excites such painful sensations in the country."

The President decided that the said matter, so proposed to be ad-

ded, was irrelevant to the matter under consideration, and out of order.

The President then put the question whether the Senate would agree to the passage of the first resolution, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

17

**FOR THE NEGATIVE.**

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

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The question then being on the passage of the second of said resolutions,

Mr. Mann moved to amend by inserting after the words "as will," the words "in a constitutional manner."

The President put the question whether the Senate would agree to the amendment of Mr. Mann, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

14

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

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The President then put the question whether the Senate would agree to the passage of the second resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Curtis		

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## FOR THE NEGATIVE.

Mr. Brown	Mr. Guinnip	Mr. Mann	3
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*Ordered*, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred therein without amendment.

Mr. Mann offered for the consideration of the Senate the following concurrent resolutions, to wit:

*Resolved*, (if the Assembly concur,) That the recent message of the President of the United States in relation to California, in which he recommends to Congress not to establish a territorial government over "the territory commonly designated by the name of New Mexico," and advises that body to await "the silent effect of causes, independent of the action of Congress," to settle "the subject which now excites such painful sensations in the country," (meaning the extension of slavery,) is a just and merited rebuke to those of his supporters in this State, who have for mere political purposes, professed on this subject opinions in opposition to those of the administration at Washington, and affords conclusive evidence that the friends of the present administration of the National Government intend to await "the silent effect of causes, independent of the action of Congress," to settle the question of freedom or slavery in the territories, and that they are not in favor of enacting the Jeffersonian ordinance of freedom for that purpose, notwithstanding their oft repeated professions to the contrary.

*Resolved*, (if the Assembly concur,) That "the claim advanced by the State of Texas to a very large portion of the most populous district of the territory commonly designated by the name of New Mexico," is not in the opinion of this Legislature any good reason why Congress should delay the establishment of a territorial government over said territory, for the protection and security of the lives and property of its inhabitants.

*Resolved*, (if the Assembly concur,) That the policy recommended by the President, of non-interference by Congress on the subject which now in his opinion excites such painful sensations in the country, is contrary to the policy which the friends of the President in this State, have heretofore professed to advocate, and that not-

withstanding such recommendation by the President, we are in favor of positive and speedy action by Congress on the subject, and are decidedly opposed to waiting "the silent effect of causes independent of the action of Congress," to settle a subject which "excites such painful sensations in the county."

Mr. Mann moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann then moved that said resolutions be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Schoonmaker,

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of Henry Wager and Ward Hunt, and that the same be referred to the canal commissioners, and that they be requested to report to the Senate the facts in relation to the matters set forth in said petition.

On motion of Mr. Snyder,

*Resolved*, That the bill from the Assembly entitled, "An act authorising the supervisors of Dutchess county to remove the poor house of said county," together with the report thereon of the committee of the Senate on internal affairs of towns and counties, be taken from the table and recommitted to said committee for further consideration.

The bill entitled, "An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Crolius,

The Senate then adjourned until 11 o'clock to-morrow morning.

## FRIDAY, JANUARY 25, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition of sundry inhabitants of N. Y. city, for a law to prevent city internments, which was referred to the committee on the incorporation of cities and villages.

Mr. Dimmick presented the petition of the president and trustees of the village of Binghamton, for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Snyder presented the petition of Alexander Hubbard, for a law authorising the payment of certain rewards offered in the proclamation of the Governor of April 26, 1845, for the apprehension and conviction of persons engaged in the commission of certain offences, which was referred to the committee on claims.

Mr. Beach presented the petition of sundry inhabitants of Cayuga co., against the consolidation of the Auburn and Syracuse and Auburn and Rochester railroad companies, which was referred to the committee on railroads.

Mr. Colt presented the petition of sundry inhabitants of Chautauque, for a law allowing the supervisors to fix the salary of the clerk of said county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Robinson presented the petition of sundry inhabitants of Allegany co., for a law compelling the N. Y. and Erie railroad company, to construct their road to Lake Erie on the original route, which was referred to the committee on railroads.

Messrs. Upham, Beach and Stanton presented four several petitions of sundry inhabitants of Niagara, Seneca and Wayne counties, for an appropriation to the Genesee College, which were referred to the committee on finance.

Mr. Owen, from the committee on railroads, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the location of the New-York and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise the holding of a county court and court of sessions in the county of Schoharie," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of David Tomlinson for repeal of the law

taxing leases, reported adverse to the prayer of the petitioner, and asked to be discharged from the further consideration thereof.

The President put the question whether the Senate would agree the said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred a petition for that purpose, reported a bill entitled, "An act to release the interest of the State in certain real estate of which Hugh Hamel died seised, to Mary Hamel, his widow," which was read the first time, and by unanims consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Cypress Hill cemetery for a law allowing deeds for burial plats to be recorded without proof or acknowledgment, reported in writing, and asked to be discharged from the further consideration thereof

(See Doc. No 31.)

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Andrew Yates and others for relief as stockholders of the Caughnawaga bridge company, reported in writing, and asked to be discharged from the further consideration of said petition.

(See Doc. No. 28.)

Mr. Johnson moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to amend the charter of the Lewiston suspension bridge company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the act incorporating the village of Waterloo," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of the heirs of Richard J. Wilson for compensation for services, in lieu of military bounty lands, reported adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, reported in relation to the evidence, &c., on petitions for claims referred to them, in writing, which report was laid upon the table.

(See Doc. No. 27)

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to obviate difficulties in certain powers of sale," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Curtis, from a majority of the committee on grievances, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act authorising the appraisement and payment of canal damages to the Florida bridge company," which was read the first time, and by unanimous consent was also read the second time, and committed to a committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act authorising the supervisors of Dutchess county to remove the poor house of said county," reported said bill to the Senate for its consideration, which was committed to the committee of the whole.

Mr. Cook, from the joint committee to revise the joint rules and orders of the Senate and Assembly, reported said rules amended so as to read as follows:

1st. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

2d. When a bill or resolution which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3d. Messages from one House to the other, shall be communicated by the respective clerks of each House, unless the House transmitting the message shall especially direct otherwise.

4th. It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

5th. In every case of difference between the two Houses, upon any subject of legislation, either House may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be *appointed* by the *chairman* of the committee on the part of the House requesting such conference. The conferees shall state to each other verbally or in writing, as either shall choose, the reasons of their respective Houses, and confer freely thereon. The committee shall report in *writing*, and shall be authorized to report such modifications or amendments as they think advisable. The papers shall be left with the conferees of the House assenting to such conference; and they shall present the report of the committee to their House. When such House shall have acted thereon, they shall

transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon.

6th. It shall be in order for either House to recede from any subject matter of difference, subsisting between the two Houses at any time previous to conference, whether the papers on which such difference arose, are before the House receding, formally or informally; and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

7th. After each House shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either House.

8th. All joint committees of the two Houses, and all committees of conference, shall consist of three Senators and five members of Assembly, unless otherwise specially ordered by concurrent resolution.

9th. Whenever ten or more bills shall be in readiness for final reading in either House, such House shall assign a day for the final reading of such bills, which day shall be within one week thereafter. At the time appointed, such House shall proceed to the final reading of bills, and continue the same from day to day, until all bills then in readiness for final reading shall have been read, except as herein provided. All bills shall have their last reading in each House, in the order in which the same shall have been ordered to a final reading in such House; but either House may assign a day certain, for the final reading of a particular bill; or it may, by a majority of all the members present, order any bill when reached to lie on the table. In all cases where a bill shall be so ordered to lie on the table, it shall retain its place in the order of the final reading of bills, but shall not be called up for consideration unless by the vote of a majority of the members present.

10th. No bill which shall have passed one House, shall have its final reading in the other, in less than two days thereafter, without the consent of two-thirds of the members thereof present.

11th. The same bill shall not, specially or by name, create, renew or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one incorporation by name, but this rule shall not be construed to apply to corporations to be formed under general laws according to the eighth article of the constitution.

12th. Whenever there shall be an election of officers by the two Houses, the result shall be certified by the President of the Senate and Speaker of the Assembly, and shall be reported by the presiding officer of each House, to their respective Houses, and be entered on the journals of each, and shall be communicated to the Governor by the clerks of the two Houses.

13th. There shall be printed, of course, and without order, 380 copies of all original bills reported by committees of either House; and 800 copies of all messages from the Governor, (except messages certifying his approval of bills,) all reports of standing or select



committees, and all reports or communications made in pursuance of law, or of a resolution of either House; which number shall be denominated the usual number.

14th. The bills and documents when printed shall be distributed as follows:

Of Bills, there shall be sent	
To the Senate,.....	84 copies.
To the Assembly, .....	218 copies.
To the State Officers, .....	28 copies.
Retained to bind, .....	50 copies.

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380 copies

Of Messages and Documents, there shall be sent	
To the Senate,.....	90 copies.
To the Assembly,.....	189 copies.
To the State Officers, .....	28 copies.
Retained to bind:	
For the Senate, .....	48 copies.
For the Assembly, .....	154 copies.
For Senate Library,.....	18 copies.
For Assembly Library, .....	50 copies.
For the Counties, Public Officers, &c.,.....	123 copies.
For distribution by the Governor to other states, .....	32 copies.
Retained to bind for literary exchanges to be made by the Regents of the University,.....	58 copies.
Bound for State Library, .....	10 copies.

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800 copies.

There shall also be printed and bound for the State Library, 10 copies of the Session Laws and of the Journal of each House, and 50 copies of the same for the Regents of the University for the purpose of literary exchanges.

When any extra number of any Messages or Documents are ordered, there shall be printed, in addition to the number so ordered, 60 copies to be sent to the Executive Chamber, for the use of the Governor, and also 10 copies for each of the State Officers, and 100 copies for the use of the Regents of the University, from which they shall be entitled to retain 1 copy for each of said Regents and their officers, and the balance shall be used for literary exchanges.

Whenever any order is made to print extra copies of Messages or Documents, the term "usual number" shall be construed to mean three hundred.

In case the printing of an extra number is ordered, one-third thereof shall be sent to the Senate, and the remainder to the Assembly, unless otherwise directed by law or concurrent resolution.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Guinnip offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That a joint committee of the Senate and Assembly be

appointed to enquire into and investigate the subject of the doings of the Canal Commissioners, under an act in relation to the Chemung canal, passed April 10, 1848, and of fraud alleged to have been practiced upon the state under said act, that said committee have power to send for persons and papers, and report to the Legislature the result of their investigation at the earliest practicable period.

Mr. Guinnip moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

On motion of Mr. Morgan,

*Resolved*, That the report made yesterday by the committee on finance, in favor of granting to the Hudson and Berkshire railroad company a suspension of payment of interest and of contribution to the sinking fund, together with the bill introduced by the committee upon the same subject, be recommitted to the committee on finance.

In pursuance of previous notice, and by unanimous consent,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to amend an act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Owen gave notice that he would, at an early day, introduce a bill to repeal an act entitled, "An act to amend 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847," passed April 7, 1849."

The bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the county of Erie," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams

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#### FOR THE NEGATIVE.

Mr. Curtis

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to authorise the Exchange Bank of Genesee to change its place of business," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Robinson	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act for the appraisal and payment of canal damages to Joseph Ogden," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson,	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Cook,

The Senate proceeded to the consideration of the motion to reconsider its vote on the following resolution :

*Resolved*, That in the judgment of the Senate the objects to be obtained by savings banks or corporations, cannot be secured to the community by a general law for that purpose.

Debate was had thereon, when

Mr. Cook moved that said motion to reconsider be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Carroll moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to reconsider the said vote, and it was decided in the affirmative.

The question then recurring on the adoption of the resolution,

Mr. Morgan moved to amend the resolution, by striking out all after the words "savings banks," and insert the following:

"When left to the Legislature on each application, are more likely to be secured to that portion of the community which they are intended to benefit, than they would be under a general law for that purpose."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Mann then moved to amend the resolution, by striking out all after the word "resolved," and insert the words, "that the committee on banks and insurance companies be instructed to report a bill for the incorporation of a savings bank for the consideration of the Senate.

The President put the question whether the Senate would agree to said amendment of Mr. Mann, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

The President laid before the Senate a communication, in the words following, to wit:

*Friday, January 25, 1850.*

The Hon. GEORGE W. PATTERSON,

*President of the Senate:*

MY DEAR SIR—The Rev. Mr. Pinney, agent of the N. Y. State colonization society, will deliver his address this evening, in the Assembly chamber, on African colonization. Mr. Pinney has himself been formerly governor of the Colony, and so important are the facts recently communicated from that settlement, that the United States Government are entertaining the proposition to make a commercial treaty with the Liberian Republic, as England France, Belgium and Germany have already done. The members of the Senate are respectfully invited to be present.

With regards, &c.,

GABRIEL P. DISOSWAY,

*In behalf of N. Y. S. Col. Society.*

On motion of Mr. Schoonmaker,  
The Senate then adjourned until 11 o'clock to-morrow morning.

SATURDAY, JANUARY 26, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hall.

The journal of yesterday was read and approved.

Mr. Curtis presented the resolutions of a meeting of citizens of Orange county, for an amendment of laws in relation to common schools, and for the repeal of the free school law, which were referred to the committee on literature.

Mr. Curtis moved that said resolutions be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Guinnip presented the petition of sundry inhabitants of Chemung co., for provision for the education of neglected and destitute children, which was referred to the committee on literature.

Mr. Guinnip moved that the said petition be printed.

The President put the question whether the Senate would agree to said motion, and it was determined in the negative.

Mr. Babcock presented the petition of sundry inhabitants of Buffalo, for an amendment of the law in relation to the assessment and collection of taxes, which was referred to the committee of the whole having in charge the bill upon that subject.

Messrs. Miller and Stanton presented two several petitions of sundry inhabitants of Monroe and Tompkins counties, for aid from the State to Genesee College, which was referred to the committee on finance.

Mr. Fox presented the petition of Noah Smith, for relief from damages sustained by the enlargement of the Erie canal, which was referred to the committee on claims.

Mr. Miller presented the petition of Charles W. Woolston and others, for relief from damages sustained by a break in the Erie canal at Perrinton, which was referred to the committee on the grievances.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill of Gilbert Hopkins, of Ravenswood, Queens co., for a law to build a pier in front of his lands in the East river, reported, and asked to be discharged from the further consideration of said petition.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Carroll, from the committee on the incorporation of cities and to which was referred the bill entitled, "An act to amend an act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy," reported in favor of the passage of the same without amendment, which was committed to a committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act further to amend the charter of the New-York orphan asylum society," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising the trustees and associates of the Brooklyn benevolent society to sell a portion of their lands," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act granting land under water in the city of Brooklyn to the trustees and associates of the Brooklyn benevolent society," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the sale and conveyance of certain real estate belonging to the estate of William W. Wadsworth," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to punish and prevent frauds in the use of false stamps and labels,'" reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

By unanimous consent,

Mr. Robinson gave notice that he would, at an early day, ask leave to introduce a bill to require the several banks of this State to redeem their circulating notes in the city of New-York at par.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to extend the time for the collection of taxes."

*Ordered*, That said bill be returned to the Assembly.

A message was received from the Assembly, informing that they had adopted the report of the joint rules committee.

The President laid before the Senate the report of the Phoenix Bank of New-York in relation to unclaimed dividends and deposits, which was referred to the committee on banks and insurance companies.

The President laid before the Senate the 16th annual report of the Bowery Savings Bank of the city of New-York, which was referred to the committee on banks and insurance companies.

On motion of Mr. Guinnip,

*Resolved*, That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the petition and papers of Mathew Sayer relative to his claim for damages, and that they be referred to the committee on claims.

On motion of Mr. Guinnip,

*Resolved*, That a respectful message be sent to the Assembly, requesting them to send to the Senate the petition and papers relative to the claim of Washington Thurman, Benjamin A. Towner and Warren Mills for damages, and that when received they be referred to the committee on claims.

On motion of Mr. Upham,

*Resolved*, That the Canal Board report to the Senate what action has been had in relation to a supply of water from the Honeoye, Conesus, Canadice and Hemlock lakes, for the Genesee Valley and Erie canals.

On motion of Mr. Upham,

*Resolved*, That the Canal Commissioners report to the Senate what action has been had by them in relation to the supply of water for the Erie canal between Tonawanda and Montezema.

On motion of Mr. Morgan,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That the committee on the judiciary be directed to prepare and report to the Senate, an act to make counties, towns, cities and incorporated villages, individually liable for all property within their limits which shall be destroyed by mobs or riotous assemblages.

Mr. Morgan moved to amend said resolution by striking out all after the word "resolved," and insert the following :

"That the committee on the judiciary be directed to enquire and report, as to the propriety of enacting a law to make towns, counties, cities and incorporated villages severally liable for property within their limits which shall be destroyed by mobs or riotous assemblages.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. Geddes moved that the Senate reconsider its vote on the motion to print the resolutions of a meeting of the inhabitants of Orange county, for the amendment of the laws in relation to common schools and for the repeal of the free school law.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to print said resolution, and it was decided in the negative.

On motion of Mr. Miller,

*Resolved*, That the petitions, affidavits and other papers heretofore presented and on file with the Senate, relative to the claim of Chas. W. Woolaston and others for canal damages, be taken from the files and referred to the committee on grievances.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms," and after some time spent thereon, Mr. Colt, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Tuttle moved that the bill from the Assembly entitled, "An act to authorise the holding of a county court and court of sessions in the county of Schoharie," be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments therewith delivered.

By unanimous consent,

Mr. Snyder moved that the bill entitled, "An act to authorise the supervisors of Dutchess county to remove the poor house of said county," be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the without amendment.

By unanimous consent,

Mr. Schoonmaker moved that the bill entitled, "An act to amend the charter of the Schenectady and Catskill railroad company," be referred to the committee of the whole having in charge the bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to amend the charter of the Canandaigua and Corning railroad company."

"An act to amend the charter of the Schenectady and Catskill railroad company," and after some time spent thereon, Mr. Brandreth, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Brandreth, from said committee, reported in favor of the passage of said last mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Carroll,

The Senate then adjourned until 11 o'clock to-morrow morning.

MONDAY, JANUARY 28, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Holloway.

The journal of Saturday was read and approved.

Mr. Dimmick presented the resolutions of the president and trustees of the village of Binghamton, for an amendment of their char-

ter, which was referred to the committee on the incorporation of cities and villages.

Mr. Owen presented the petition of sundry inhabitants of Chautauque co. for the location of the N. Y. and Erie railroad on the original route in said county, which was referred to the committee of the whole when on the bill for that purpose.

Mr. Tuttle presented the petition of sundry inhabitants of Delaware co. for an amendment of the laws in relation to the assessment and collection of taxes, which was referred to the committee of the whole when on a bill for that purpose.

Mr. Colt and Mr. Guinnip presented two petitions of inhabitants of Ontario and Chemung counties, for an appropriation to the Genesee college, which were referred to the committee on finance.

Mr. Snyder presented the petition of the trustees of Hudson orphan and relief association for an amendment of their charter, which was referred to the committee on charitable and religious societies.

Mr. Owen and Mr. Tuttle presented two petitions of inhabitants of Delaware and Chautauque counties for a law regulating the fees of sheriffs on executions not satisfied, which were referred to the committee on the judiciary.

Mr. Snyder and Mr. Johnson presented two petitions of tenants under manorial leases for a law to stay the collection of rents until the question of title is determined, which were referred to the select committee on that subject.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act further to amend the charter of the village of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to authorise the holding of a county court and court of sessions in the county of Schoharie."

*Ordered,* That said bill be returned to the Assembly.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act further to amend the charter of the Attica and Hornelsville railroad company, passed May 14, 1845."

*Ordered,* That the Clerk deliver said bill to the Governor.

Mr. Skinner gave notice that he would, at some future time, ask leave to introduce a bill to authorise the sale of certain arsenals belonging to the State, and to provide for the safe keeping of the arms and other property.

In pursuance of previous notice,

Mr. Colt asked for and obtained leave to introduce a bill entitled, "An act to amend the act to vest in the boards of supervisors certain legislative powers, and to prescribe their fees, passed April 3, 1849," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Geddes gave notice that he would, at an early day, ask leave to introduce a bill in relation to the resignation of county judges.

By unanimous consent,

Mr. Miller asked for and obtained leave to introduce a bill entitled, "An act more effectually to prevent gambling," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Dart,

*Resolved*, That the Comptroller be requested to report to the Senate the amount paid for printing and binding for the State from 30th September, 1848, to January 1, 1850, designating the amount paid for legislative printing, the amount paid for printing for the canal department and for each of the State officers respectively, and giving the names of the persons to whom the same has been paid, and the amount paid to each, and also the aggregate sum paid for printing in each year since 30th, September, 1848.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Clerk be authorised to procure the binding of copies of the codes of civil and criminal procedure, not exceeding one copy for each Senator, officer and reporter of the Senate, and twelve copies for the library of the Senate, to be comprised in not more than two volumes for each copy, and to cost not more than twenty-five cents per volume.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the charter of the Schenectady and Catskill railroad company."

*Ordered*, That the said bill do have its third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the act to authorise the formation of railroad corporations," and after some time spent thereon, Mr. Morgan, from said committee, reported progress, and asked for and obtained leave to sit again.

By unanimous consent,

The bill entitled, "An act to amend the charter of the Schenectady and Catskill railroad company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook

Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson

Mr. Noyes  
Mr. Owen  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Stone  
Mr. Tuttle

Mr. Crolius  
Mr. Cross  
Mr. Curtis

Mr. Mann  
Mr. Miller  
Mr Morgan

Mr. Upham  
Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Curtis offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Attorney General be requested to transmit to the Senate, at his earliest convenience, his opinion as to the constitutionality of a law, operating retrospectively, obliging towns and counties to pay for property destroyed by mobs ; and also, (if he shall find such law would be constitutional,) how far back it might be made to extend ; and also, whether in his opinion the State (if suable, the same as an individual,) would be liable to pay William W. Niles for his property on Long Island farms, which was destroyed on the 26th of May, 1847, as appears by the evidence on the Journals of the Senate and Assembly.

Mr. Curtis moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President laid before the Senate the report of the Canal Board, in answer to a resolution of the Senate of Jan. 27, in relation to the supply of water from the Honeoye, Conesus, Canadice and Hemlock lakes for the Erie canal, which was referred to the committee on canals.

(See Doc. No. 40.)

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company," and after some time spent thereon, Mr. Brandreth, from said committee, reported in favor of the passage of the same.

Mr. Carroll moved that the said bill, as reported by a committee of the whole of the Senate, be referred to the committee on the judiciary, to report whether in their judgment said bill can be passed without conflicting with the provisions of the constitution.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On a motion of Mr. Miller,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, JANUARY 29, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Frazier.

The journal of yesterday was read and approved.

Mr. Stanton presented the memorial of the bar of Cayuga county, in favor of the bill for fixing the terms of the supreme court in the 7th judicial district, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Robinson presented the petition of William Fisher, for interest accruing on canal damages awarded by the Canal Appraisers in the year 1848, which was referred to the committee on claims.

Messrs. Robinson and Owen presented two several petitions of sundry inhabitants of Allegany and Chautauque counties, for a law compelling the N. Y. and Erie railroad to construct their road on the original route in said counties, which were referred to the committee of the whole having in charge the bill upon that subject.

Messrs. Babcock, Stanton and Robinson presented seven several petitions of sundry inhabitants of Erie Seneca, Wayne, Yates and Wyoming counties, for aid from the State to the Genesee College, which were referred to the committee on finance.

Mr. Williams, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land at New Utrecht," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under the act for the appraisal of his damages, passed Dec. 14, 1847," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Doc No 35.)

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of the Rensselaer and Columbia turnpike road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to repeal the charter of the Hector and Catharine road and bridge company," reported in favor

of the passage of the same, which was committed to the committee of the whole.

A message was received from the Governor in the words following:

EXECUTIVE DEPARTMENT, }  
Albany, January 29, 1850. }

*To the Senate :*

In answer to the resolution of the Senate, adopted on the 18th day of January inst., requesting the Governor to communicate to the Senate any statistical and other information in his possession, relating to Asiatic cholera, I have the honor to reply, saying that there is no statistical or authentic information relating to Asiatic cholera in the possession of this department.

### HAMILTON FISH.

*Ordered,* That said communication be referred to the committee on medical societies and colleges.

The President laid before the Senate a report from the Canal Commissioners, in answer to a resolution of the Senate, relative to the supply of water for the Erie canal between Tonawanda and Montezuma, which was referred to the committee on canals.

(*See Doc. No. 41.*)

Mr. Cook gave notice that he would ask leave, at an early day, to introduce a bill to prevent and punish champerty and maintenance.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill to open and extend a highway from the city of Albany to the town of Watervliet, in the county of Albany.

Mr. Dart gave notice that the would, at an early day, ask leave to introduce a bill appointing commissioners to codify the laws of this State, increasing the present number of such commissioners and extending their term of service.

In pursuance of previous notice,

Mr. Skinner asked for and obtained leave to introduce a bill entitled, "An act to authorise the sale of certain arsenals and other property, and to provide for the safe keeping of the arms and property belonging to the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act authorising the appointment of commissioners to lay out and open Division avenue, fixing the boundary line between the city of Brooklyn, village of Williamsburgh, and the towns of Bushwick and Flatbush.

In pursuance of previous notice,

Mr. Geddes asked for and obtained leave to introduce a bill entitled, "An act in relation to the resignation of county judges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stanton gave notice that he would, at an early day, ask leave to introduce a bill for the relief of Oscar Granger and Walter S. Todd.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That twice the usual number of the report of the Canal Commissioners and accompanying papers in relation to Conesus, Honeoye, Hemlock and Canadice lakes be printed, and also 500 copies for the use of the Canal Board.

*Ordered*, That the said resolution be referred to the committee on public printing.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That twice the usual number of the report of the Canal Commissioners and accompanying documents, in relation to the size of the canal between Tonawanda and Montezuma, be printed, and also 500 copies for the use of the Canal Board.

*Ordered*, That the said resolution be referred to the committee on public printing.

Mr. Dart offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee on the militia be, and they are hereby instructed to bring in a bill repealing all existing militia laws, except so far as the same may relate to cities or incorporated villages.

Mr. Dart moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Johnson,

*Resolved*, That it be referred to the President and Clerk to ascertain whether or not more suitable accommodations can be furnished to the reporters of the Senate.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act to authorise the formation of railroad corporations," and after some time spent thereon, Mr. Morgan, from said committee, reported in favor of the passage of the same with amendments.

Mr. Geddes moved that said bill be referred to a select committee consisting of five Senators.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Geddes, Babcock, Mann, Dimmick and Brandreth be such committee.

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

Leave of absence was granted to Mr. Beach and Mr. Beekman for three days each.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for a donation of blocks of

stone to the National Washington Monument," and after some time spent thereon, Mr. Tuttle, from said committee, reported in favor of the passage of the same with amendments, and the title thereof amended so as to read as follows: "An act to provide for a donation of a block of stone to the National Washington Monument," which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Miller,

The Senate then adjourned until 11 o'clock to-morrow morning.

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### WEDNESDAY, JANUARY 30, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Halloway.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition of inhabitants of New-York for an amendment of the laws in relation to the assessment and collection of taxes in said city, which was referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

Mr. Skinner presented the petition of inhabitants of Watertown for the removal of the State arsenal at that place, which was referred to the committee on militia.

Mr. Beekman presented the memorial of the trustees of Hamilton college for a renewal of the appropriation for said college for the years 1850 and 1851 of \$3,000 annually, which was referred to the committee on finance.

Mr. Beekman presented the memorial of the board of education of the city of New-York for an appropriation for the purchase of a library for the free academy in said city, which was referred to the committee on finance.

Mr. Colt presented two petitions of inhabitants of Livingston co. for an appropriation from the State to Genesee college, which were referred the committee on finance.

Mr. Brandreth presented 11 remonstrances of inhabitants of Westchester co. against the repeal of the act appointing commissioners to lay out a road from the head of the five mile turnpike in Westchester, to the store of J. Towner, in Putnam co., which were referred to the committee on roads and bridges.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company," with instructions to report as to the constitutionality of said bill, made a written report thereon.



Mr. Carroll moved that five times the usual number of said report be printed for the use of the Legislature.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Mann moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Mann, Colt and Guinnip, be such select committee.

Mr. Miller, from the committee on literature, to which was referred the bill entitled, "An act to amend 'An act authorising free schools throughout the State,' passed March 26, 1849," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Upham, from the committee on public printing, to which was referred the motion to print twice the usual number of the report of the Canal Board in relation to the supply of water for the Genesee Valley canal, and 500 copies of the same for the use of the Canal Board, reported, and offered the following resolution :

*Resolved*, That twice the usual number of said report be printed for the use of the Legislature, and 500 for the use of the Canal Board.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Upham, from the committee on public printing, to which was referred the motion to print twice the usual number of the report of the Canal Commissioners in relation to the size of the canal between Tonawanda and Montezuma, and 500 copies for the use of the Canal Board, reported, and offered the following resolution :

*Resolved*, That five times the usual number of said report be printed for the use of the Legislature, and 500 copies for the use of the Canal Board.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Upham, from the committee on canals, to which was referred the petition of citizens of Waterloo and Fayette, in Seneca co., for a law draining lands overflowed by the Cayuga and Seneca canal, reported, and offered the following resolution :

*Resolved*, That the Canal Commissioners cause a survey to be made of the quantity of land adjacent to the outlet of the Seneca lake, now the Cayuga and Seneca canal, overflowed by the waters of said outlet or canal, by reason of the State works at the village of Waterloo ; and also that they cause a survey and estimate to be made of the most feasible plan for the draining or for discharging of the waters so flowing said lands, and that they report such plan and estimate, as also the amount of lands so overflowed, to the Legislature, at their earliest convenience.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Brandreth, from the committee on public printing, to which was referred the motion to print five times the usual number of the report of the judiciary committee on the bill to amend the charter of the Canandaigua and Corning railroad company, reported in favor of printing five times the usual number of said report for the use of the Legislature.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend the act to vest in the boards of supervisors certain legislative powers, passed April 3, 1849," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross presented the 22d report of the Brooklyn Savings Bank in the city of Brooklyn, which was referred to the committee on banks and insurance companies.

Mr. Beekman presented the annual report of the Greenwich Savings Bank of the city of New-York, which was referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Cook asked for and obtained leave to introduce a bill entitled, "An act to prevent champerty and maintenance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to open and extend a highway from the city of Albany to the town of Watervliet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to authorise the appointment of commissioners to open Division avenue and establish the boundary line between the city of Brooklyn, village of Williamsburgh, and towns of Bushwick and Flatbush," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Cook moved that the bill entitled, "An act to amend 'An act establishing free schools throughout the State,' passed March 26, 1849," be engrossed for a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Owen,

*Resolved*, That the petition of Henry Jordon, presented to the Senate in 1849, be taken from the files of the Senate and referred to the committee on Indian affairs.

On motion of Mr. Johnson,

*Resolved*, That the committee on claims be discharged from the

further consideration of the application of Matthew Sayre, and also of the application of Washington Thurman and others for relief, and that the same be referred to the committee on grievances.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to provide for a donation of a block of stone for the National Washington Monument."

*Ordered*, That said bill do have its third reading.

The said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson,	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the law for the assessment and collection of taxes," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Mann moved that the bill entitled, "An act to amend the Revised Statutes in relation to assessors reviewing assessment rolls, and fixing the time and place of their meeting," be referred to the committee of the whole having in charge the bill entitled, "An act to amend the law for the assessment and collection of taxes."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849."

*Ordered*, That the said bill do have its third reading.

The bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Robinson

Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Stanton	
Mr. Colt	Mr. Johnson	Mr. Stone	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act further to amend an act to authorise the construction of a railroad from New-York to Albany, passed May 12, 1846," and after some time spent thereon, Mr. Stanton, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Geddes moved that the fifth section of said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

A message was received from the Assembly, delivered by Mr. Burroughs and Monroe, informing that the Assembly had elected Robert H. Pruyn Speaker pro tempore.

Leave of absence was granted to Mr. Noyes and Mr. Crolius for five days, and to Mr. Snyder for three days.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act relative to the State Library and Regents of the University," and after some time spent thereon, Mr. Crolius, from said committee, reported in favor of the passage of the same with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A message from the Assembly was received and read, informing that they had passed without amendment the bill entitled, "An act to provide for a donation of a block of stone to the National Washington Monument."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to establish a free school in district number three in the town of Newtown," and after some time spent thereon, Mr. Stone, from said committee, reported in favor of the passage of the same with amendments.

Mr. Brown moved that the report of the committee of the whole be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to enable turnpike road companies in certain cases to sell their roadway rights and other property," and after some time spent thereon, Mr. Miller, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment

of canal damages to Charles Ehle," and after some time spent thereon, Mr. Fox, from said committee, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill for the relief of Charles Ehle, and that the same be referred to the finance committee to report from what fund the damages to claimants are to be paid.

On motion of Mr. Guinnip,

The Senate then adjourned until 11 o'clock to morrow morning.

## THURSDAY, JANUARY 31, 1856.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Frazier.

The journal of yesterday was read and approved.

Mr. Cook presented two petitions of landholders residing above Fort Miller dam, for relief from damages caused by the erection and continuance of said dam.

Mr. Cook moved that said petitions be referred to the Canal Board.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman presented the memorial of sundry inhabitants of New-York, for an amendment of the laws in relation to the assessment and collection of taxes in the city of New-York, which was referred to a select committee composed of the Senators from the 3rd, 4th, 5th and 6th Senate districts.

Mr. Babcock presented the petition of Jerome B. Ransom, for a law to authorise the Canal Board to ascertain the amount due to him, which was referred to the committee on canals.

Mr. Morgan presented the memorial of Dater, Miller & Co., and others of New-York city, for a reduction of tolls on the State canals, which was referred to the committee on finance.

Mr. Geddes presented the remonstrance of sundry inhabitants of Onondaga county, against the consolidation of railroads from Syracuse to Rochester, which was referred to the committee on railroads.

Mr. Beach presented the remonstrance of sundry inhabitants of Auburn, against changing the place of holding the general terms of the supreme court in the 7th district, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Stone presented the petition of the trustees of the village of Morrisville, Madison co., for a change of the law in relation to high-

way labor, which was referred to the committee on the incorporation of cities and villages.

Mr. Johnson presented six petitions of tenants under manorial titles, for a law to stay the collection of rent until the question of title is settled, which was referred to the select committee of which Mr. Johnson is chairman.

Mr. Brandreth presented two remonstrances of sundry inhabitants of Putnam county, against the repeal of an act appointing commissioners to lay out a road from the head of the turnpike in Westchester county to the store of J. Towner in Putnam co., which was referred to the committee on roads and bridges.

Messrs. Robinson and Owen presented four petitions of sundry inhabitants of Allegany and Cattaraugus counties, for the completion of the N. Y. and Erie railroad on the original route in said counties, which were referred to the committee of the whole having in charge the bill upon that subject.

Messrs. Babcock, Miller, Upham and Beach presented six petitions of sundry inhabitants of Erie, Monroe, Genesee and Cayuga counties, for an appropriation to Genesee College, which were read and referred to the committee on finance.

Mr. Geddes presented the petition of the Syracuse and Tully plank road company, for a law allowing them to build a branch of their road over the lands of the Onondaga Indians, which was referred to the committee on roads and bridges.

Mr. Cook, from the committee on banks and insurance companies, to which was referred so much of the message of the Governor as relates to banks, reported a bill entitled, "An act to incorporate the Albany city savings institution," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on canals, to which was referred the bill entitled, "An act in relation to the resignation of county judges," reported in favor of the passage of the same with amendments, and amended the title so as to read "An act concerning resignations of office," which was committed to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act for the appraisal and payment of canal damages to Elizabeth S. Granger, Warren Granger and James N. Granger," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and

villages, to which was referred the bill entitled "An act to authorise the appointment of commissioners to open Division avenue and establish the boundary line between the city of Brooklyn, village of Williamsburgh, and towns of Bushwick and Flatbush," reported in favor of the passage of the same, which was committed to the committee of the whole.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to amend an act establishing free schools throughout the State, passed March 26, 1849."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the New-York hotel company.

Mr. Morgan offered for the consideration of the Senate, the following concurrent resolution, to wit:

*Resolved*, (if the Assembly concur,) That the Senators and Representatives in Congress from this State, be requested to advocate the passage of a law establishing a mint in the city of New-York.

*Ordered*, That the said resolution be laid upon the table.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act relative to the State library and the Regents of the University."

Mr. Carroll moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the laws for the assessment and collection of taxes," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to enable turnpike companies in certain cases to sell their roadway rights and other property," and after some time spent thereon, Mr. Miller, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act further to amend 'An act to authorise the construction of a railroad from New-York to Albany,' passed May 12, 1846," and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the society of the New-York Hospital," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise John A. Dix to build a bridge from Monursing

island to the main land in the town of Rye in Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Governor was received and read, in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, January 31, 1850. }*

*To the Senate:*

I have this day approved and signed the following entitled bills:

"An act to provide for a donation of a block of stone to the national Washington monument,"

"An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845."

HAMILTON FISH.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors," and after some time spent thereon, Mr. Stone, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to release the interest of the State in certain real estate of which Mary Price died seised, to the county of Cattaraugus," and after some time spent thereon, Mr. Dart, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend certain parts of the Revised Statutes, and to regulate the police of the town of Watervliet," and after some time spent thereon, Mr. Mann, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to divide the 6th and 7th wards and establish boundaries and civil divisions of the city of Brooklyn," and after some time spent thereon, Mr. Cook, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to incorporate a seminary of education under the name of the Jonesville academy," and after some time spent thereon, Mr. Babcock, from said committee, reported in favor



of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Johnson,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## FRIDAY, FEBRUARY 1, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Halloway.

The journal of yesterday was read and approved.

Mr. Cross presented the petition of Stephen Crowell and others for a general law to incorporate building and accumulating fund associations, which was referred to the committee on charitable and religious societies.

Mr. Snyder presented the petition of the town officers of the town of Claverack for a law authorising the laying out of public highways in said town not more than four nor less than two rods wide, which was referred to the committee on roads and bridges.

Mr. Stanton presented the petition of Walter S. Todd and Oscar Granger for a review of their claim by the Canal Board for work done on the Genesee Valley canal, which was referred to the committee on grievances.

Mr. Beekman presented the memorial of the trustees of the Greenwich savings bank for an amendment of their charter, which was referred to the committee on banks and insurance companies.

Mr. Skinner presented the petition of inhabitants of school district No. 1 in the town of Deerfield, praying for a more just and equal law for the distribution of the school fund of the State, which was referred to the committee on literature.

Mr. Morgan presented the memorial of merchants of New-York for a repeal or modification of the usury laws, which was committed to the committee of the whole when on a bill for that purpose.

Mr. Curtis presented the petition of Thomas and Worden for relief from damages sustained by the construction of the Genesee Valley canal, which was referred to the committee on claims.

Messrs. Robinson and Skinner presented three petitions of inhabitants of Allegany co. for a law to prevent the sale of intoxicating drinks, which was referred to the committee on the judiciary.

Mr. Upham presented the petition of the Hahnemann academy of medicine in N. Y. city praying for a board of examiners to confer the degree of M. D. by said academy on application therefor, which was referred to the committee on medical societies and colleges.

Mr. Beekman, from the committee on literature, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act further to amend 'An act establishing free schools throughout the State,' passed March 26, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc No 38.)

Mr. Stone moved that 10 times the usual number of the report and bill be printed for the use of the Legislature.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Curtis, from the committee on grievances, to which was referred a petition for that purpose, reported a bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles W. Woolston, Erastus Hughes, Cicero Collins, Asahel Barber and Henry Pardee," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to authorise John A. Dix to build a bridge from Manursing island to the main land in the town of Rye in Westchester county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to divide the sixth and seventh wards and establish the boundaries and civil divisions of the city of Brooklyn."

"An act to amend certain parts of the Revised Statutes, and to regulate the police of the town of Watervliet."

"An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors."

"An act to release the interest of the State in certain real estate of which Mary Price died seised, to the county of Cattaraugus."

"An act to incorporate a seminary of education under the name of the Jonesville academy."

*Ordered*, That said bills do have their third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mann, from the select committee, to which was referred the bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company," reported the same complete with amend-

ments, which report was agreed to and the bill ordered to be engrossed for a third reading.

The President laid before the Senate a communication from the Commissioners of Emigration, in the words following, to wit:

OFFICE OF THE COMMISSIONERS OF EMIGRATION, }  
New-York, 25th January, 1850. }

Hon. G. W. PATTERSON,  
*President of the Senate:*

SIR,—I have the honor herewith to transmit the third annual report of the Commissioners of Emigration.

I am, very respectfully,

G. C. VERPLANCK,  
*Pres't Com'rs of Emigration.*

(*See Doc. No. 48*)

*Ordered*, That the said report be referred to the committee on commerce and navigation.

Mr. Beekman moved that five times the usual number of said report be printed for the use of the Legislature, which motion was referred to the committee on public printing.

The President laid before the Senate the annual report of the executive committee of the State Normal School, which was referred to the committee on literature.

(*See Doc. No. 56.*)

Mr. Stanton moved that five times the usual number of said report be printed for the use of the Legislature and 500 copies for the use of the executive committee, which motion was referred to the committee on public printing.

In pursuance of previous notice,

Mr. Owen asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to amend an act requiring compensation for causing death by wrongful act, neglect or default,' passed April 7, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beekman gave notice that he would, at a future day, ask leave to introduce a bill to enable married women residing in this State to execute powers of attorney to convey real estate.

Mr. Stone gave notice that he would, at an early day, ask leave to introduce a bill to establish an agricultural professorship at Central College, and for an appropriation for that object.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to incorporate the New-York hotel company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Stanton asked for and obtained leave to introduce a bill entitled, 'An act authorising and requiring the Canal Board to review the claim of Oscar Granger and Walter S. Todd for work done by them on the Genesee Valley canal, and providing for the payment of such sum as may be due them," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

Mr. Curtis offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Canal Board be requested, with all convenient speed, to report to the Senate the evidence taken, and the decision and award made in the matter of claim for damages against the State by Briggs Thomas and Eben E. Worden, submitted to said board in 1846, and also the grounds of said decision, entered on the minutes of said board, if any, and that said report, when received, be referred to the committee on claims.

Mr. Curtis moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act further to amend an act to authorise the construction of a railroad from New-York to Albany, passed May 12, 1846," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Miller	Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, Jan. 31, 1850. }*

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to amend 'An act establishing free schools throughout the State,' passed March 26, 1849."

HAMILTON FISH.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Curtis		

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to release the interest of the State in certain real estate, of which Mary Price died seised, to the county of Cattaraugus," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the Revised Statutes and to regulate the police of the town of Watervliet," was read the third time.

Mr. Mann moved that said bill be recommitted to the committee on engrossed bills.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act to divide the 6th and 7th wards and to establish the boundaries and civil divisions of the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate a seminary of education under the name of Jonesville academy," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The Senate again proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

On motion of Mr. Miller,

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to authorise John A. Dix to build a bridge from Manuversing island to the main land in the town of Rye in Westchester county," and after some time spent thereon, Mr. Owen, from said committee, reported in favor of the

passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms," and after some time spent thereon, Mr. Colt, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Johnson moved that when the Senate adjourn it adjourn until Monday morning at 11 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Geddes,

The Senate then adjourned.

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## MONDAY, FEBRUARY 4, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The journal of Friday was read and approved.

Mr. Upham presented the petition of citizens of the county of Genesee praying for the passage of a law providing for the payment of sheriffs' fees in certain cases, which was referred to the committee on the internal affairs of towns and counties.

Mr. Upham also presented the petition of citizens of Genesee co. asking a repeal of the free school law, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Beach presented the petition of merchants and others of the city of New-York in favor of an alteration or repeal of the existing usury laws, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Beach also presented the remonstrance of E. B. Cobb and 200 citizens of Auburn against a direct road and consolidation of the Auburn and Syracuse and Auburn and Rochester railroad companies, which was referred to the committee on railroads.

Mr. Crook presented the remonstrance of R. A. Weed and 43 other citizens of Clinton co. against bridging lake Champlain, which was referred to the committee on railroads.

Mr. Johnson presented the petition of R. Richardson for a law regulating fees of county judges, which was referred to the committee on the judiciary.

Mr. Stone presented the petition of inhabitants of Madison co. for

a change in the law relating to sheriffs' fees on executions in certain cases, which was referred to the committee on the internal affairs of towns and counties.

Mr. Beach presented the remonstrance of inhabitants of Cayuga in favor of relieving the central line of railway from the payment of canal tolls on freight, which was referred to the committee on finance.

Mr. Miller presented the petition of Drake Mills, Freeman Hunt, and 150 others in the city of New-York for a repeal or modification of the usury laws, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Colt presented the petition of N. W. Howell, jr., Willson F. Granger, B. Whiting and others, for a general term of the supreme court in Ontario co. in 1850, and in each year thereafter, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Curtis presented the petition of inhabitants of the town of Newburgh praying for the passage of an act authorising the election of a police justice in said town, which was referred to the committee on the judiciary.

Mr. Cross presented the remonstrance of the board of supervisors of Kings county against the passage of a bill now before the Senate entitled, "An act amendatory of and in addition to an act entitled, 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,'" which was referred to the committee on the judiciary.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act to authorise the Comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company," reported in favor of the passage of the same with amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," with instructions to enquire and report from what fund such damages should be paid, reported in writing.

(See Doc. No. 42.)

Mr. Curtis moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Curtis moved that twice the usual number of the said report be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the resolutions for that purpose, reported the bill entitled, "An act to repeal an act providing for registry of births, marriages and deaths," which was read the first time,



and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the resolutions of the board of supervisors of Chautauque county, for a repeal or modification of the registry law, reported, and asked to be discharged from the further consideration of said petition, and that the same be referred to the committee of the whole having in charge the bill upon that subject.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, reported the bill entitled, "An act to authorise Norris M. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on public printing, to which was referred the motion to print ten times the usual number of the report of the committee on literature on the bill amending the general school law, reported, and offered the following resolution :

*Resolved*, That ten times the usual number of the said report and bill be printed for the use of the Legislature.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend the Revised Statutes and to regulate the police of the town of Watervliet."

"An act to amend the charter of the Canandaigua and Corning railroad company."

*Ordered*, That said bills do have their third reading.

A message from the Assembly was received and read, informing that they had passed without amendment the bill entitled, "An act to authorise the Exchange bank of Genesee to change its place of business "

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the support and education of a limited number of Indian youths of the State of New-York at the State Normal School," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the title to a lot of land conveyed to and by Patrick McGovern, an alien," which was read the first time, and by

unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act authorising school district number six, in the town of Lyons, to collect a tax voted by them in instalments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Westfield and Clymer plank road company to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to juvenile delinquents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

The President laid before the Senate the following communication :

*Albany, Feb. 4, 1850.*

To the Hon. MEMBERS OF THE SENATE,  
*Of the State of New-York:*

Mr. Lane, proprietor of Banvard & Lane's celebrated panorama of the Mississippi river, would be pleased and feel highly honored to have the honorable members of this body of the State Legislature visit his panorama, with their families, on Tuesday afternoon, Feb. 5, at 4 o'clock, Kidd's Hall, opposite Stanwix Hall

Yours respectfully,

F. L. LANE.

Mr. Cross moved that the Senate do accept the said invitation.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President laid before the Senate the report of the Auburn savings institution, which was referred to the committee on banks and insurance companies.

Mr. Snyder offered for the consideration of the Senate, the following resolutions, to wit :

*Resolved*, That the trustees of every society of Shakers in the several counties of this State, entrusted with the care and management of the property of such society, pursuant to the act entitled, "An act in relation to certain trusts," passed April 15, 1839, be required upon oath or affirmation, on or before the day of March next, to report to the Legislature a just, full and true inventory and account,

1. Of all the real estate belonging to such society on the 15th day of April, 1839, with a particular description of each separate tract or parcel, the number of acres, and value of each of said separate tracts, and the number, size and description of the buildings upon each of such separate tracts or parcels.

2. Of all the real estate belonging to such society and acquired since the said 15th of April, 1839, together with the quantity and particular description of each separate tract or parcel, the times when and names of persons from whom the same was purchased or procured, the consideration paid or agreed to be paid for the same, the number and description of the buildings upon the same at the times of such purchase, and the number, size and description of the buildings and out-houses put or erected upon the same since such purchase.

3. Of all real estate sold by such society since the said 15th day of April, 1839, to whom sold or conveyed, and the price and consideration for which each separate tract or parcel was so sold or conveyed.

4. Of all personal property of every description now owned and possessed by or for said society, and including such as may be in the hands and possession of their agents and others for disposition or otherwise.

5. Of all monies on hand or upon deposit with incorporated companies, banks or individuals, all government stocks and stocks of banks or other incorporated companies, all notes, bonds, mortgages, accounts, demands, evidences of indebtedness, or other securities owned by or held in trust for the use and benefit of such society.

6. Of all monies or property received by or in trust for such society since the first day of February, 1849, for the sale and disposition of manufactured articles, seeds and property of every description, and of all sums of money remaining unpaid and owing to such society upon or for such sales and disposition.

7. Of all sums of money and other property expended by such society since the first day of February, 1839, in buildings and permanent erections upon the real estate of such society.

*Resolved*, That the Clerk cause a copy of the foregoing resolution to be served on the elders and trustees of each society of Shakers within this State, by mailing the same, directed to such elders and trustees, and by causing a copy of said resolution to be published for two successive weeks in the state paper.

Mr. Snyder moved that said resolutions be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled, "An act to amend the charter of the Canandaigua and Corning railroad company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beach  
Mr. Brown  
Mr. Carroll

Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Guinnip

Mr. Owen  
Mr. Skinner  
Mr. Snyder  
Mr. Stone

Mr. Colt	Mr. Johnson	Mr. Tuttle	
Mr. Crook	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Morgan		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise John A. Dix to build a bridge from Manursing island to the main land in the town of Rye, in Westchester county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan	
Mr. Brandreth	Mr. Dart	Mr. Owen	
Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Guinnip	Mr. Snyder	
Mr. Colt	Mr. Johnson	Mr. Stone	
Mr. Crook	Mr. Miller	Mr. Tuttle	
Mr. Cross			19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to amend certain parts of the Revised Statutes and to regulate the police of the town of Watervliet," was read the third time, and the vote thereon was as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Morgan	
Mr. Beach	Mr. Dimmick	Mr. Owen	
Mr. Brown	Mr. Guinnip	Mr. Skinner	
Mr. Colt	Mr. Johnson	Mr. Tuttle	
Mr. Cross	Mr. Miller		14

## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Stone	2
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The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Augustus Morgan," and after some time spent thereon, Mr. Beach, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay the Syracuse coarse salt company for land to abate a nuisance," and after some time spent thereon, Mr. Snyder, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the Utica water works company," and after some time spent thereon, Mr. Brandreth, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed April 6, 1801," and after some time spent thereon, Mr. Babcock, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the location of the New-York and Erie railroad through the counties of Cattaraugus, Allegany and Chautauque," and after some time spent thereon, Mr. Dart, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to release the interest of the State in certain real estate, of which Hugh Hammel died seised, to Mary Hammel, his widow," and after some time spent thereon, Mr. Johnson, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the appraisal and payment of canal damages to the Florida bridge company," and after some time spent thereon, Mr. Skinner, from said committee, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Guinnip,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## TUESDAY, FEBRUARY 5, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The journal of yesterday was read and approved.

Messrs. Carroll, Cook and Johnson, each presented remonstrances against bridging Lake Champlain, which were referred to the committee on railroads.

Messrs. Carroll, Colt and Johnson, each presented petitions of inhabitants of Albany, Ontario and Rensselaer counties, for a reduction of canal tolls on railroads, which were referred to the committee on finance.

Messrs. Babcock, Upham, Miller and Colt, presented 15 petitions of inhabitants of Genesee, Niagara, Orleans, Steuben, Ontario, Erie, Monroe and Chemung counties, for aid to Genesee college, which were referred to the committee on finance.

Mr. Tuttle presented the petition of Thomas Mervin for relief for damages sustained by the loss of a horse while in the service of the State, which was referred to the committee on claims.

Mr. Miller presented the petition of Alfred academy for relief from the illegal election of trustees of said academy, which was referred to the committee on literature.

Mr. Cook presented the petition of inhabitants of Saratoga co. for the establishment of a board of examiners to determine the qualifications of homœopathic physicians, which was referred to the committee on medical societies and colleges.

Mr. Brown presented the remonstrance of inhabitants of Suffolk co. against any alteration of the pilot laws, which was referred to the committee on commerce and navigation.

Mr. Tuttle presented the petition of the Schoharie central bridge company for an amendment of their charter, which was referred to the committee on roads and bridges.

Mr. Beekman presented the petition of inhabitants of New-York for an appropriate provision for the education of neglected and destitute children of the State, which was referred to the committee on charitable and religious societies.

Mr. Fox presented the petition of inhabitants of Montgomery co. for a law to stay the collection of rents on lands held by manorial leases until the question of title is settled, which was referred to the select committee on that subject.

Mr. Dart presented the petition of the Goveneur Wesleyan seminary for an appropriation for the benefit of said seminary, which was referred to the committee on finance.

Mr. Tuttle presented the petition of Henry Talmage for a law to release him from liability under a decree of the court of chancery, which was referred to the committee on the judiciary.

Mr. Beekman presented the petition of merchants of New-York for a law reducing tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Cook presented the petition of inhabitants of Albany for a law reducing the rate of discount on uncurrent money to 1-4 per cent, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Mann presented the petition of merchants of New-York for a repeal of the usury laws, which was referred to the committee of the whole having in charge a bill on that subject.

Mr. Curtis, from the committee on grievances, to which was re-

ferred the petition for that purpose, reported the bill entitled, "An act authorising the appraisal and payment of canal damages to Matthew Sayre," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Dimmick, from the committee on agriculture, to which was referred the resolution heretofore offered recommending the establishment of an agricultural bureau in the department of the interior, reported, and recommended the adoption of the following resolutions, to wit:

*Resolved*, (if the Assembly concur,) That the Legislature of the State of New-York, earnestly request the Senators and Representatives from this State in Congress to use their utmost influence to procure the establishment, by law, of a bureau of agriculture in the department of the interior of our national government, whose duty it shall be to aid in promoting the general interests of agriculture throughout the commonwealth.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Mr. Dimmick moved that the report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, reported the bill entitled, "An act to amend an act in relation to the fees of county treasurers," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on public printing, to which referred the motion to print extra numbers of the annual report of the executive committee of the State Normal School, reported, and offered the following resolution:

*Resolved*, That ten times the usual number of the said report be printed for the use of the Legislature, and 500 for the executive committee.

The President put the question whether the Senate would agree to said report, and it was decided in the negative.

Mr. Upham moved the Senate reconsider the vote just taken on said report.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Upham moved the question of agreeing to the report of the committee be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Johnson moved to amend the report of the committee by striking out ten times the usual number and inserting five times the usual number.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to the said report as amended, and it was decided in the affirmative.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act authorising school district number six, in the town of Lyons, to collect a tax voted by them in instalments, reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to provide for the support and education of a limited number of Indian youth of the State of New-York at the State Normal School," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act in relation to the Utica water works company."

"An act to vest certain powers in the freeholders and inhabitants of the village of Waterford, passed April 6, 1801."

"An act to release the interest of the State in certain real estate of which Hugh Hammel died seised, to Mary Hammel, his widow."

*Ordered*, That said bills do have their third reading.

Mr. Johnson, from the select committee, to which was referred the bill entitled, "An act for the relief of persons holding lands under perpetual leases in this State," reported in favor of the passage of the same with amendments, and amended the title so as to read "An act for the relief of tenants holding lands under perpetual leases in this State and for the purpose of determining title to certain manors and tracts of lands," which was committed to the committee of the whole.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to authorise the consolidation of any two railroad corporations whose roads are contiguous or co-terminous into a single corporation, and prescribing the powers of such corporation.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill farther to amend the charter of the Attica and Hornellsville railroad.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill further to amend section five of the act entitled, "An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts," passed May 10, 1845.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled, "An act to enable married women residing in this State to execute powers of attorney to convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan gave notice that he would, at a future day, ask leave



to introduce a bill to amend an act entitled, "An act to amend certain acts concerning passengers coming to the city of New-York, passed April 11, 1849."

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Comptroller to make investments of money belonging to the bank fund.

Mr. Johnson offered for the consideration of the Senate, resolutions in the words following, to wit:

*Resolved*, That the Saratoga and Schenectady railroad company be required to report to the Senate within ten days, what progress has been made by them in relaying their track with a heavy iron rail, and what arrangements have been made by them (if any,) to complete the relaying the same from the village of Ballston to the city of Schenectady.

*Resolved*, That the Clerk be directed to transmit a copy of the foregoing resolution to the president of said company.

Mr. Carroll moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Brown,

*Resolved*, That the Clerk furnish the President, the Senators, and the officers and reporters of the Senate an additional copy of the Manual for their use at their rooms.

On motion of Mr. Morgan,

The Senate then proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Senators and Representatives in Congress from this State, be requested to advocate the passage of a law establishing a mint in the city of New-York.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of the Senators and Representatives from this State in Congress.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson moved that the bill entitled, "An act to amend certain parts of the Revised Statutes and to regulate the police of the town of Watervliet," be recommitted to the committee of the whole, and that it retain its place on the general orders.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act to vest certain powers in the freeholders and inhabitants of the village of Waterford, passed April 6, 1801," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE

Mr. Beach  
Mr. Beekman

Mr. Dart  
Mr. Dimmick

Mr. Morgan  
Mr. Noyes

Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Upham
Mr. Curtis		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the Utica waterworks company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Upham
Mr. Curtis		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to release the interest of the State in certain real estate of which Hugh Hamel died seised, to Mary Hamel, his widow," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Miller	Mr. Upham

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Babcock and by unanimous consent,

*Resolved*, That there be printed for the use of the Governor two hundred and fifty copies of his report in answer to a resolution of the Senate asking for information of the Senate respecting juvenile vagrants.

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

A message from the Governor was received and read in the words following, to wit ;

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, Feb. 5, 1850. }*

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to authorise the Exchange Bank of Geneseo to change their place of business."

HAMILTON FISH.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," and after some time spent thereon, Mr. Skinner, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Augustus Morgan," and after some time spent thereon, Mr. Beach, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills :

"An act to extend the time for county superintendents of the poor elected in November, 1849, to take the oath of office and file their official bond,"

"An act to regulate the salary of the district attorney of the county of Saratoga."

*Ordered,* That the Clerk deliver said bills to the Governor.

On motion of Mr. Stone,

The Senate then adjourned until 11 o'clock to-morrow morning.

## WEDNESDAY, FEBRUARY 6, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of the chiefs and head men of the Stockbridge Indians, now residing in Wisconsin, for the payment to them of one-half of the profits made by this State in buying and selling their lands, which was referred to the committee on finance.

Messrs. Robinson, Guinnip, Stanton and Colt, presented six petitions of sundry inhabitants of Steuben, Yates, Livingston, Allegany, Orleans and Wyoming counties, for an appropriation to Genesee College, which were referred to the committee on finance.

Mr. Carroll presented two petitions of sundry inhabitants of Monroe and Rensselaer counties, for a reduction of the tolls on railroads, which were referred to the committee on finance.

Messrs. Owen and Robinson presented two petitions of sundry inhabitants of Allegany and Cattaraugus counties, for the location of the New-York and Erie railroad on the original route in said counties, which were referred to the committee of the whole when on the bill on that subject.

Mr. Noyes presented the petition of inhabitants of Chenango for an amendment of the law in relation to the fees of sheriffs, which was referred to the committee on the internal affairs of towns and counties.

Mr. Stanton presented the petition of Richard P. Hunt and others, trustees of the Waterloo woolen works company, for relief from damages sustained by raising a dam on the Cayuga and Seneca canal, which was referred to the committee on claims.

Mr. Tuttle presented the petition of stockholders of the Bank of Delhi, for a law taxing the stock of said bank in the towns where the same is owned, which was referred to the committee on banks and insurance companies.

Mr. Noyes presented the petition of sundry inhabitants of Chenango county, for the reduction of the duties on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Colt presented the petition of sundry inhabitants of New-York city, for a reduction of the tolls on foreign salt.

Mr. Colt moved that said petition be referred to the committee on finance.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Geddes moved that said petition be referred to the committee on the manufacture of salt.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cross presented the petition of Thomas P. Teale of Kings county, for an amendment of the law in relation to jurors in said county, which was referred to the committee on the judiciary.

Mr. Miller, from the committee on literature, to which was referred the petition for that purpose, reported the bill entitled, "An act in relation to the trustees of the Alfred academy," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Curtis, from a majority of the committee on grievances, to which was referred the petition for that purpose, reported in writing and introduced a bill entitled, "An act authorising the Canal Board to hear and determine the claim of Washington Thurman, Warren Mills and Benjamin A. Towner for damages sustained by the sinking of a canal boat," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beekman, from a majority of the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act making a conditional appropriation towards erecting a fire proof building for the New-York Historical Society," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the petition of William Fisher for interest on an award for canal damages in the year 1848, reported against the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance."

*Ordered*, That the said bill do have its third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the width of highways in the town of Claverack," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

A message from the Governor was received and read, in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, February 6, 1850. }*

*To the Senate:*

I have this day approved and signed the following entitled bills:

"An act to regulate the salary of the district attorney of the county of Saratoga."

"An act to extend the time for county superintendents of the poor, elected in November, 1849, to take the oath of office and file their official bonds."

HAMILTON FISH.

The President laid before the Senate the following communication :

*Albany, February 6, 1850.*

To the HON. MEMBERS OF THE SENATE,  
*Of the State of New-York:*

The annual address of the president, Dr. Alexander H. Stevens, of the State medical society, will be delivered in the Assembly chamber this evening at 7½ o'clock. The members of the Senate are respectfully invited to attend.

By order of the society,  
R. H. THOMPSON,  
*Chairman Select Committee.*

Mr. Mann presented the annual report of the managers of the N. Y. State Lunatic Asylum, which was referred to the committee on poor laws.

*(See Doc. No. 57.)*

Mr. Mann moved that five times the usual number of said report be printed for the use of the Legislature, and 1,000 copies for the use of the said managers.

*Ordered,* That said motion be referred to the committee on public printing.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to amend section five of the act entitled, "An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts, passed May 10, 1845," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to authorise the consolidation of any two railroad corporations whose railroads are contiguous or co-terminous into a single corporation, and prescribing the powers of such corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill to authorise trustees, receivers and assignees to become petitioning creditors under certain insolvent laws.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill enti-

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tled, "An act authorising the Comptroller to invest moneys belonging to the Bank Fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled, "An act changing the period for the annual meeting of the Legislature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Snyder,

*Resolved*, That the committee on the judiciary be instructed to enquire into the propriety and expediency of abolishing all fees for official services rendered by judges and surrogates, and to make report thereon.

On motion of Mr. Geddes,

*Resolved*, That the Secretary of State be requested to make a statement to the Senate of the number of plank road companies organised under the general plank road law, and also the aggregate length of the roads of such companies, as appears by their articles of association.

Mr. Schoonmaker moved that the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," be recommitted to the committee on claims.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms," and after some time spent thereon, Mr. Colt, from said committee, reported that the committee had stricken out the enacting clause of said bill.

The President put the question whether the Senate would agree to the report of the committee of the whole on said bill, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	

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#### FOR THE NEGATIVE.

Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Miller	Mr. Stanton
Mr. Curtis	Mr. Noyes	Mr. Stone
Mr. Dart	Mr. Owen	

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A bill was received from the Assembly for concurrence entitled, "An act in relation to documentary evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message was received from the Assembly, informing that they had passed, without amendment, the resolutions of the Senate for the establishment of a mint in New-York.

The President laid before the Senate the following communication:

STATE AGRICULTURAL ROOMS, }  
Albany, February 5, 1850. }

To the PRESIDENT OF THE SENATE:

SIR—The Senate and yourself are respectfully requested to attend the agricultural meetings to be held on Thursday evening of each week during the session of the Legislature, at the State agricultural rooms.

First meeting on Thursday evening, February 7, at 7 o'clock.

Yours respectfully,

B. P. JOHNSON,  
Sec'y State Ag. Society.

On motion of Mr. Stanton,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## THURSDAY, FEBRUARY 7, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. John N. Campbell.

The journal of yesterday was read and approved.

Mr. Stone presented the petition of sundry inhabitants of Madison county, praying the Legislature to instruct our representatives and senators in Congress to insist upon the strict construction of the constitution of the United States, to the end that it no where allows, endures or makes compromises with human slavery.

Mr. Stone moved that said petition be referred to a select committee.

Mr. Crolius moved to lay said petition on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to refer to a select committee, and it was decided in the affirmative.



*Ordered*, That Mr. Stone, Mr. Johnson and Mr. Brown be such select committee.

Mr. Fox presented three several petitions of sundry inhabitants of the county of Montgomery, for an amendment of the charter of the Fort Plain bridge company, which were referred to the committee on roads and bridges.

Mr. Mann presented the petition of sundry inhabitants of Oneida county, for the passage of a general railroad law, which was referred to the select committee on the bill upon that subject.

Mr. Upham presented two petitions of sundry inhabitants of Livingston and Genesee counties, for aid to the Genesee College, which were referred to the committee on finance.

Mr. Colt presented the memorial of a convention held at Geneseo, for a railroad from Buffalo to the N. Y. and Erie railroad, which was referred to the committee on railroads.

Mr. Stone presented the petition of sundry citizens of Madison county, for a law allowing freight to be transported on railroads free of tolls, which was referred to the committee on finance.

Mr. Guinnip presented two petitions of sundry inhabitants of Sieuben county, for a railroad from Buffalo to Corning, which were referred to the committee on railroads.

Mr. Crolius presented the petition of sundry inhabitants of New-York city, for a reduction of tolls on the State canals, which was referred to the committee on finance.

Mr. Beekman presented the memorial of the board of education of the city of New-York, for a law authorising said board to establish a free academy for females in said city, which was referred to the committee on literature.

Mr. Upham, from the committee on public printing, to which was referred the motion to print extra numbers of the report of the managers of the State Lunatic Asylum, and 1000 copies for the said managers, reported in favor of printing five times the usual number of the said report for the use of the Legislature and 1000 copies of the said report for the use of the said managers.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman offered for the consideration of the Senate, the following concurrent resolutions, to wit:

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress, be requested to promote the passage of an act providing for the removal of the rocks which obstruct and render dangerous the channel of the East river, at Hurl Gate, near the city of New-York.

*Resolved*, That the Governor be requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

*Ordered*, That the said resolutions be laid upon the table.

On motion of Mr. Stanton,

*Resolved*, That the Canal Appraisers be requested to transmit to the standing committee on claims of the Senate, the proofs taken by

them upon the claim of John Watkins, of the town of Fayette, in the county of Seneca, pursuant to chap. 103 of the Laws of 1847.

On motion of Mr. Colt,

*Resolved*, That the committee on finance be discharged from the further consideration of the petition of the Stockbridge Indians relative to their lands, and that the same be referred to the committee on Indian affairs.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Augustus Morgan," and after some time spent thereon, Mr. Beach, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation for the relief of the Brooklyn orphan asylum," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act authorising surrogates to invest surplus moneys arising from sale of real estate in certain cases," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the protection of purchasers of real estate upon sales by order of surrogates," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Schoonmaker,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## FRIDAY, FEBRUARY 8, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The journal of yesterday was read and approved.

Messrs. Colt, Stanton and Guinnip presented four petitions of inhabitants of Ontario, Livingston, Yates and Steuben counties for aid to the Genesee college, which were referred to the committee on finance.

Mr. Snyder presented two petitions of inhabitants of Dutchess and Columbia counties for a speedy termination and settlement of the manorial difficulties, which were referred to the committee of the whole having in charge the bill on that subject.

Mr. Schoonmaker presented the petition of inhabitants of Ulster co. for an agricultural college and experimental farm, which was referred to the committee on agriculture.

Mr. Beach presented two petitions of inhabitants of Montgomery county for a repeal of the charter of the Fort Plain bridge company, which were referred to the committee on roads and bridges.

Mr. Guinnip presented two petitions of inhabitants of Steuben co. for a railroad from Buffalo to the New-York and Erie railroad, which were referred to the committee on railroads.

Mr. Robinson presented the petition of inhabitants of Allegany co. for a law restraining the sale of intoxicating drinks, which was referred to the committee on the judiciary.

Mr. Robinson presented the petition of inhabitants of Allegany co. for an amendment of the law in relation to the assessment and collection of taxes, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Schoonmaker presented the petition of inhabitants of Newburgh for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Dimmick, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act making the village of Morrisville a separate road district," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies to which was referred the bill from the Assembly entitled, "An act to amend the charter of the society of the New-York hospital," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," reported in favor of the passage of the same without amendment.

Mr. Tuttle moved that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Upham, from the committee on canals, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act authorising the appraisal and payment of canal damages to Jerome B. Ransom," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Doc No. 46.)

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to confirm the

title to a lot of land conveyed to and by Patrick McGovern, an alien, reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to documentary evidence," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the election of a police justice in the town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act changing the period for the annual meeting of the Legislature," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to enable married women residing in this State to execute powers of attorney to convey real estate," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to authorise the Westfield and Clymer plank road company to borrow money," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred a resolution of the Senate, directing them to enquire and report as to the expediency of abolishing all fees for official services, reported that such a law is inexpedient.

Mr. Snyder moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Babcock,

The Senate proceeded to the consideration of the report of the judiciary committee, against the petition of Andrew Yates for relief as a stockholder of the Caughnewaga bridge company, heretofore laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Schoonmaker,

The Senate proceeded to the consideration of the report of the committee on claims, against the petition of Orrin Austin and others, purchasers of the New Stockbridge Indian lands.

Mr. Stone moved that the said report and petition be referred to the committee on Indian affairs.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

The President laid before the Senate the second annual report of the Dry Dock savings Institution of the city of New-York, which was referred to the committee on banks and insurance companies.

The President laid before the Senate a communication from the Comptroller in answer to a resolution of the Senate, showing the aggregate sums paid for printing since the 30th Sept., 1838, which was laid upon the table.

(See Doc. No. 47.)

Mr. Crolius gave notice that, at some future day, he would introduce a bill entitled, "An act to amend an act for the collection of taxes in the city of New-York, passed April 18, 1843."

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill entitled, "An act in relation to the court of appeals."

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill in relation to the governors of the almshouse of the city of New-York.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act authorising trustees, receivers and assignees to become petitioning creditors under certain insolvent laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stanton offered for the consideration of the Senate, the following concurrent resolution, to wit:

*Resolved*, (if the Assembly concur,) That the Senators and Representatives of this State in Congress, are hereby requested to inquire whether injustice was done to the rights and interests of the people of this State by an act of Congress, approved Feb. 26, 1845, entitled, "An act to extend a patent heretofore granted to William Woodworth," commonly known as the act extending the patent for Woodworth's planing machine, and whether the passage of said act was procured through fraudulent representations, and whether it is not hostile to the spirit and objects of the patent laws; and if they shall be of the opinion that said act is liable to these objections, that then they are hereby requested to use their best efforts to procure its immediate repeal.

*Ordered*, That the said resolution be laid upon the table.

The Senate again proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

On motion of Mr. Snyder,

The Senate proceeded to the consideration of the resolutions heretofore offered by him, and having been amended by consent of the mover to read as follows:

*Resolved*, That the trustees of every society of Shakers in the several counties of this State, entrusted with the care and management of the property of such society, pursuant to the act entitled, "An act in relation to certain trusts," passed April 15, 1839, be required upon oath or affirmation, on or before the 20th day of March next, to report to the Legislature a just, full and true inventory and account,

1. Of all the real estate belonging to such society on the 15th day of April, 1839, with a particular description of each separate tract or parcel, the number of acres, and value of each of said separate tracts, and the number, size and description of the buildings upon each of such separate tracts or parcels.

2. Of all the real estate belonging to such society and acquired since the said 15th of April, 1839, together with the quantity and particular description of each separate tract or parcel, the times when and names of persons from whom the same was purchased or procured, the consideration paid or agreed to be paid for the same, the number and value of the buildings upon the same at the times of such purchase, and the number and value of the buildings and out-houses put or erected upon the same since such purchase.

3. Of all real estate sold by such society since the said 15th day of April, 1839, to whom sold or conveyed, and the price and consideration for which each separate tract or parcel was so sold or conveyed.

4. The aggregate amount of all personal property of every description now owned and possessed by or for said society, and including such as may be in the hands and possession of their agents and others for disposition or otherwise.

5. Of all monies on hand or upon deposit with incorporated companies, banks or individuals, all government stocks and stocks of banks or other incorporated companies, all notes, bonds, mortgages, accounts, demands, evidences of indebtedness, or other securities owned by or held in trust for the use and benefit of such society.

6. The aggregate amount of all monies or property received by or in trust for such society since the first day of February, 1849, for the sale and disposition of manufactured articles, seeds, and the aggregate amount of all moneys and property paid out during the year, property of every description, and of all sums of money remaining unpaid and owing to such society upon or for such sales and disposition.

7. Of all sums of money and other property expended by such society since the first day of February, 1839, in buildings and permanent erections upon the real estate of such society.

*Resolved*, That the Clerk cause a copy of the foregoing resolution to be served on the elders and trustees of each society of Shakers within this State, by mailing the same, directed to such elders and trustees, and by causing a copy of said resolution to be published for two successive weeks in the state paper.

The President then put the question whether the Senate would

agree to the said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Brown	Mr. Curtis	Mr. Noyes
Mr. Carroll	Mr. Dart	Mr. Owen
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Tuttle
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FOR THE NEGATIVE.

Mr. Beach	Mr. Mann	Mr. Upham
Mr. Dimmick	Mr. Schoonmaker	Mr. Williams
Mr. Geddes	Mr. Skinner	8

Mr. Stone moved to reconsider the vote on agreeing to the report of the committee of the whole on the bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island farms."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said report, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crook		13

FOR THE NEGATIVE.

Mr. Carroll	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Miller	Mr. Stanton
Mr. Curtis	Mr. Noyes	Mr. Stone
Mr. Dart	Mr. Owen	Mr. Williams
		15

Mr. Stone moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and the vote thereon was as follows :

FOR THE AFFIRMATIVE.

Mr. Colt	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Miller	Mr. Stanton

Mr. Crook	Mr. Noyes	Mr. Stone	
Mr. Curtis	Mr. Owen	Mr. Williams	
Mr. Fox	Mr. Robinson		14

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker	
Mr. Beach	Mr. Dimmick	Mr. Snyder	
Mr. Brown	Mr. Geddes	Mr. Tuttle	
Mr. Carroll	Mr. Johnson	Mr. Upham	
Mr. Cook	Mr. Mann		14

The Senate being equally divided, the President gave the casting vote in the affirmative.

*Ordered*, That said bill be committed to the committee of the whole.

Mr. Geddes offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That on and after Monday next, this Senate will meet at 10 o'clock a. m.

Mr. Geddes moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to authorise certain towns in the counties of Cattaraugus and Erie to raise money to construct and repair roads and bridges on Indian lands lying within their borders," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the speedy disposition of certain suits," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert their road into a plank road."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Guinnip,

The Senate then adjourned until 11 o'clock to-morrow morning.



## SATURDAY, FEBRUARY 9, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. J. N. Campbell.

The journal of yesterday was read and approved.

Mr. Mann presented the petition of Mary Robertson and others, aliens, for a law authorising them to hold real estate, which was referred to the committee on the judiciary.

Messrs. Stanton, Miller and Mann presented four several petitions of sundry inhabitants of Tompkins, Monroe and Oneida counties, for the repeal of the free school law, which were referred to the committee of the whole having in charge the bill upon that subject.

Mr. Crook and Mr. Cook presented three remonstrances against bridging Lake Champlain at Rouses' Point, which were referred to the committee on railroads.

Mr. Colt presented the petition of sundry inhabitants of Livingston county, for aid to the Genesee College, which was referred to the committee on finance.

Mr. Johnson presented the petition of James M. Case, for damages done his boat by the breaking of a weigh lock, which was referred to the committee on claims.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the appraisal and payment of canal damages to James Folts," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act to pay Alexander Hubbard certain rewards under the proclamation of Governor Young," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Augustus Stockwell and others, for compensation for a deficiency in a lot of land in the town of Lysander, reported adverse to the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Beach moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Aaron Knapp, for relief from damages sustained by him in the construction of the Chenango canal and Leland

Pond reservoir, reported against the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Wm. Logan and others, for relief from damages sustained by him as a contractor on the Champlain canal, reported against the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Schoonmaker from a majority of the committee on claims, to which was referred the petition of John Stewart & Co., for a law to pay them for a quantity of cut stone, reported against the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Johnson moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Peter Clogher, for damages sustained in defending a suit commenced by Thomas Baker against him for trespass on his lands while acting in accordance with the direction of the State Engineer, reported against the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Thomas and Worden, for a rehearing of their claim before the Canal Board, reported against the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Schoonmaker, from a majority of the committee on claims, to which was referred the petition of Noah Smith, for damages caused by raising the banks of the canal at Fort Plain, reported in writing against the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Beekman, from the committee on literature, to which was referred the memorial for that purpose, reported a bill entitled, "An act authorising the board of education of the city of New-York to establish an academy for females," which read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Owen, from the committee on Indian affairs, to which was referred the petition for that purpose, reported a bill entitled, "An act for erecting a fund for the benefit of the Stockbridge Indians," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

A message was received from the Assembly requesting the Senate to transmit to that body the papers and memorials on file in the Senate, relative to the excise question, which was laid on the table.

The President laid before the Senate a communication from the Secretary of State, in answer to a resolution of the Senate of February 6, in relation to the number of plank roads and the length of their roads in this State, which was referred to the committee on roads and bridges.

Mr. Geddes moved that five times the usual number of said report be printed for the use of Legislature and 250 for the Secretary of State, which motion was referred to the committee on public printing.

By unanimous consent,

Mr. Beach, from the committee on public printing, to which was referred the motion to print extra numbers of the report of the Secretary of State in relation to plank roads, reported in favor of printing five times the usual number of the said report for the use of the Legislature, and 250 for the Secretary of State.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Upham gave notice that he would, at an early day, ask leave to introduce a bill in relation to the Lewiston railroad company.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to provide for the settlement of the accounts of executors and testamentary trustees before surrogates of counties.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act for the collection of taxes in the

city of New-York,' passed April 18, 1843," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the 3d, 4th, 5th and 6th districts.

On motion of Mr. Geddes,

*Resolved*, That the committee on the internal affairs of towns and counties be requested to examine into and report, by bill or otherwise, on the subject of the sale of land for taxes in the counties in which the land to be sold is situated.

On motion of Mr. Beekman,

The Senate then proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress, be requested to promote the passage of an act providing for the removal of the rocks which obstruct and render dangerous the channel of the East river, at Hurl Gate, near the city of New-York.

*Resolved*, (if the Assembly concur,) That the Governor be requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

The President put the question whether the Senate would agree to the first of said resolutions, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said second resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

On motion of Mr. Stanton,

The Senate proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, (if the Assembly concur,) That the Senators and Representatives of this State in Congress, are hereby requested to inquire whether injustice was done to the rights and interests of the people of this State by an act of Congress, approved Feb. 26, 1845, entitled, "An act to extend a patent heretofore granted to William Woodworth," commonly known as the act extending the patent for Woodworth's planing machine, and whether the passage of said act was procured through fraudulent representations, and whether it is not hostile to the spirit and objects of the patent laws; and if they shall be of the opinion that said act is liable to these objections, that then they are hereby requested to use their best efforts to procure its immediate repeal.

Mr. Stanton moved to amend said resolution by striking out the words "fraudulent representations," and insert the words "misunderstanding or misrepresentation."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cook moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Debate was had thereon, when

Mr. Stanton moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was determined in the affirmative.

Mr. Crolius moved that the Senate reconsider its vote fixing the hour of meeting of the Senate at 10 o'clock a. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of the resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Colt	Mr. Dimmick	Mr. Stanton
Mr. Cook	Mr. Fox	Mr. Williams
Mr. Curtis	Mr. Geddes	

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FOR THE NEGATIVE.

Mr. Babcock	Mr. Guinnip	Mr. Schoonmaker
Mr. Beekman	Mr. Johnson	Mr. Skinner
Mr. Brown	Mr. Miller	Mr. Snyder
Mr. Carroll	Mr. Noyes	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Crook		

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On motion of Mr. Guinnip,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That a joint committee of the Senate and Assembly be appointed to enquire into and investigate the subject of the doings of the Canal Commissioners, under an act in relation to the Chemung canal, passed April 10, 1848, and of fraud alleged to have been practiced upon the state under said act, that said committee have power to send for persons and papers, and report to the Legislature the result of their investigation at their earliest convenience.

Mr. Geddes moved to amend said resolution, by striking out the words "joint select committee of the Senate and Assembly," and insert the words "select committee," also to strike out the word "Legislature," and insert the word "Senate."

Mr. Stanton moved to amend the amendment of Mr. Geddes by adding after the words "select committee" the words "of four Senators."

The President put the question whether the Senate would agree to the amendment of Mr. Stanton, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Dart	Mr. Noyes	
Mr. Carroll	Mr. Fox	Mr. Skinner	
Mr. Crook	Mr. Guinnip	Mr. Snyder	
Mr. Curtis	Mr. Mann	Mr. Stanton	12

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crolius	Mr. Owen	
Mr. Beach	Mr. Dimmick	Mr. Robinson	
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Johnson	Mr. Upham	
Mr. Cook	Mr. Miller	Mr. Williams	15

The President then put the question whether the Senate would agree to the amendment of Mr. Geddes, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Owen	
Mr. Beach	Mr. Dimmick	Mr. Robinson	
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Johnson	Mr. Upham	
Mr. Cook	Mr. Miller	Mr. Williams	15

## FOR THE NEGATIVE.

Mr. Brown	Mr. Dart	Mr. Noyes	
Mr. Carroll	Mr. Fox	Mr. Skinner	
Mr. Crook	Mr. Guinnip	Mr. Snyder	
Mr. Curtis	Mr. Mann	Mr. Stanton	12

The President then put the question whether the Senate would agree to the resolution as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Geddes	Mr. Owen	
Mr. Beach	Mr. Guinnip	Mr. Robinson	
Mr. Beekman	Mr. Johnson	Mr. Schoonmaker	
Mr. Colt	Mr. Mann	Mr. Stanton	
Mr. Cook	Mr. Miller	Mr. Upham	
Mr. Crolius	Mr. Noyes	Mr. Williams	
Mr. Dimmick			19

## FOR THE NEGATIVE.

Mr. Brown	Mr. Curtis	Mr. Skinner	
Mr. Carroll	Mr. Dart	Mr. Snyder	
Mr. Crook	Mr. Fox		8

*Ordered*, That Messrs. Gunnip, Upham and Schoonmaker, be said select committee.

On motion of Mr. Babcock,

*Resolved*, 'That the judiciary committee and all other committees of the Senate be discharged from the further consideration of petitions and memorials upon the subject of the excise laws and intoxicating drinks, and that the same be sent to the Assembly, pursuant to a resolution of that body received this morning.

A bill was received from the Assembly for concurrence entitled, "An act to regulate, confirm, define and limit the powers, privileges, liabilities and franchises of plank road companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Assembly was received and read, informing that they had passed without amendment the resolutions of the Senate for the improvement of the East river at Hurl Gate.

The bill from the Assembly entitled, "An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," coming up for a third reading,

By unanimous consent,

The title of said bill was altered so as to read as follows: "An act for the relief of John Tice, Samuel Shelland and Alfred White, late commissioners of highways in the town of Seward, and Peter Hynds, late overseer of highways in said town."

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beach	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Schoonmaker
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Carroll,

The Senate then adjourned until eleven o'clock on Monday morning.

## MONDAY, FEBRUARY 11, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of Saturday was read and approved.

Messrs. Robinson, Upham, Colt and Miller presented five petitions of sundry inhabitants of Niagara, Livingston, Wyoming and Monroe counties, for aid to Genesee College, which were referred to the committee on finance.

Mr. Colt and Mr. Guinnip presented three petitions of Steuben and Livingston counties, for a railroad from Buffalo to the N. Y. and Erie railroad at or near Corning, which was referred to the committee on railroads.

Mr. Geddes presented the petition of the institution of civil engineers of the State of New-York, for an appropriation to aid in carrying out the objects of the institution, which was referred to the committee on finance.

Mr. Stanton presented the petition of sundry inhabitants of Seneca county, for the repeal of the law exempting from taxation corporations which make no dividends, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Brown presented the petition of sundry inhabitants of North Hempstead, Queens county, for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Crook presented the remonstrance of D. B. Cornell and 81 others, citizens of Warren county, against the bridging of Lake Champlain, which was referred to the committee on railroads.

Mr. Robinson presented the memorial of the trustees of Alfred Academy, asking for an act appropriating \$5000 to relieve the institution from debt, which was referred to the committee on finance.

Mr. Dart presented the petition of Oren Crary and 120 others, citizens of St. Lawrence co., praying for a repeal or modification of the present militia laws, which was referred to the committee on militia and public defence.

Mr. Colt presented the petition of the faculty and students of Genesee Academy asking relief, was read and referred to the committee on finance.

Mr. Morgan presented the remonstrance of merchants, ship-owners and shipmasters against the alteration of the general pilot law, which was referred to the committee on commerce and navigation.

Mr. Noyes presented the petition of Stephen L. Avery asking cal damages, which was referred to the committee on claims.

Mr. Snyder presented the petition of sundry citizens of New-York city, asking for a repeal or modification of the usury law, which was referred to the committee of the whole having in charge the bill upon that subject.



Mr. Williams presented the petition of John A. Bardwell and other merchants of New-York city, asking for a reduction of tolls on the canals, which was referred to the committee on finance.

Mr. Robinson presented five petitions of sundry inhabitants of Wyoming co., for appointment of special commissioner to equalize taxation in said county by the board of supervisors, which were referred to the committee on the judiciary.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for the speedy disposition of certain suits," reported in favor of the passage of the same with amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable Mary Robertson, Amelia Robertson and Mary Elizabeth Tunstall to take, hold and dispose of real estate," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act to establish courts of civil and criminal jurisdiction in the city of Brooklyn, passed March 24, 1849," reported in favor of the passage of the same, with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act authorising trustees, receivers and assignees to become petitioning creditors under certain insolvent laws," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to jurors in Kings county," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act making an appropriation for the relief of the Brooklyn orphan asylum," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Mann, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Mann, from the committee on poor laws, to which was referred the bill from the Assembly entitled, "An act in relation to juvenile delinquents," reported in favor of the passage of the same with amendments.

Mr. Crolius moved that said bill be recommitted to the committee on poor laws.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes, from the select committee, to which was referred the bill entitled, "An act to authorise the formation of railroad corporations," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Geddes moved that said bill be made the special order for Thursday next, at 12 o'clock m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, Feb. 11, 1850. }

*To the Senate:*

I herewith transmit a communication from N. T. Strong in behalf of the chiefs of the Seneca Indians, together with two memorials purporting to be from chiefs and warriors of the Seneca Indians, and a statement addressed to the Legislature of this State, relating to their alleged grievances under the operation of a law passed at the last session of the Legislature.

HAMILTON FISH.

*Ordered,* That said communication be referred to the committee on Indian affairs.

Mr. Owen gave notice that he would, at an early day, ask leave to introduce a bill to charter a company, with powers to construct a line of railway from the village of Randolph in Cattaraugus co., through Cattaraugus and Chautauque counties to the Pennsylvania line in Warren co., Pennsylvania.

Mr. Crook gave notice that he would, at some future day, introduce a bill to authorise the board of supervisors of the county of Clinton to investigate and audit the claim of George Divoll and his sureties for moneys by them expended in the performance of a contract for building a bridge in the village of Plattsburgh in said county.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act in relation to the court of appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Upham asked for and obtained leave to introduce a bill entitled, "An act in relation to the Lewiston railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Schoonmaker gave notice that he would, at an early day, ask leave to introduce a bill in relation to bridges across the several

State canals upon public roads and streets, and requiring the same to be built, repaired, maintained and kept, in the same manner and governed by same laws as bridges over natural streams, and repealing all laws requiring the same to be kept and maintained by the Canal Commissioners.

Mr. Cook gave notice that he would, at some future day, introduce a bill authorising the trustees of the village of Plattsburgh to sell their engine lot in said village.

Mr. Guinnip offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee appointed by the Senate to investigate the frauds practiced by the Canal Commissioners on the Chemung canal be, and they are hereby authorised to go to Jefferson in the county of Chemung, to take such evidence as they may think proper or necessary to aid them in such investigation, and that the said committee have power to summon before them such persons and papers in said county as they shall deem proper.

Mr. Upham moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Canal Commissioners are requested to report to the Senate the plan or plans projected or adopted since the first of January, 1848, for the enlargement of any of the State canals other than the Erie canal, or of any channel, section or portion of the same, now or hereafter to be connected therewith; whether by said plan or plans connections with other navigable waters are to be discontinued, and to what extent; the location, length and cost, or estimated cost of each portion now under contract; the amount done and remaining to be done; the law by which each is authorised, and the fund out of which the cost of each is payable; also a description of the plan and estimates of the cost of rebuilding the several locks, except on the Erie canal, now under contract, of the original and of the enlarged size; the changes, if any, in their location; the cost of bringing them into use resulting from such change; the authority for the same; and the fund from which the cost is payable.

Mr. Dimmick moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Beach moved that the bill from the Assembly entitled, "An act authorising school district number six in the town of Lyons to collect a tax voted by them in instalments," be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof.

and three-fifths of said members being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Tuttle
Mr. Colt	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook	Mr. Owen	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Augustus Morgan," and after some time spent thereon, Mr. Beach, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the appraisal and payment of canal damages to the Florida bridge company," and after some time spent thereon, Mr. Mann, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the relief of John Tice, Samuel Shelland and Alfred White, late commissioners of highways of the town of Seward, and Peter Hynds, late overseer of highways of said town."

*Ordered*, That the Clerk return said bill to the Assembly.

Leave of absence was granted to Mr. Stone for one week.

On motion of Mr. Miller,

The Senate then adjourned until 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 12, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffery.

The journal of yesterday was read and approved.

Mr. Mann presented the petition of Henry Jordan, an Oneida Indian, for pay for his services as interpreter, which was referred to the committee on Indian affairs.

Mr. Williams presented the memorial of the officers of the College of Pharmacy of the city of New-York, for a donation from the State of \$10,000, which was referred to the committee on finance.

Messrs. Stanton, Babcock, Colt and Johnson presented four petitions of sundry inhabitants of Chemung, Erie, Albany and Livingston counties, for aid to the Genesee College, which were referred to the committee on finance.

Mr. Crook presented three remonstrances of sundry inhabitants of Clinton co., against bridging Lake Champlain at Rouse's Point, which were referred to the committee on railroads.

Mr. Babcock presented the petition of sundry inhabitants of Western New-York, for a railroad from Buffalo to the N. Y. and Erie railroad, which was referred to the committee on railroads.

Mr. Carroll presented the petition of business men of Troy in favor of par redemption of bank notes, &c., which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Snyder presented the petition of sundry inhabitants of Hudson, for a board of examiners to the Hahneman academy of medicine in the city of New-York, which was referred to the committee on medical colleges and societies.

Mr. Crook presented the petition of sundry inhabitants of Plattsburgh, for a law to authorise the sale of the engine lot of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Crook presented the petition of Geo. W. Webster and others, for relief as surety for George Divoll in building a bridge over the Saranac river at Plattsburgh, which was referred to the committee on roads and bridges.

Mr. Cook, from the committee on banks and insurance companies, to which was referred so much of the message of the Governor as relates to banks &c., reported in writing, and introduced a bill entitled, "An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Geddes moved that five times the usual number of the said report and bill be printed for the use of the Legislature, which motion was referred to the committee on public printing.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Wyoming co. for an amendment of the assessment laws, reported, and asked to be discharged from the further consideration of said petition, and that the same be referred to the committee of the whole on the bill upon that subject.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the court of appeals," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act authorising the Comptroller to invest moneys belonging to the bank fund," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to authorise the appraisal and payment of canal damages to Augustus Morgan."

"An act authorising the appraisal and payment of canal damages to the Florida bridge company."

*Ordered*, That said bills do have their third reading.

Mr. Owen, from the committee on Indian affairs, to which was referred the bill from the Assembly entitled, "An act to authorise certain towns in the counties of Erie and Cattaraugus to raise money to construct and repair roads and bridges on Indian lands lying within their borders," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Owen, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the village of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to regulate, confirm and limit the powers, privileges, liabilities and franchises of plank road companies," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Miller moved that said bill be made the special order for tomorrow at 12 o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Miller moved that the said amendments to the bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann, from the committee on poor laws, to which was referred

ed the bill entitled, "An act to explain and extend the powers and duties of the governors of the almshouse of the city and county of New York," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Carroll gave notice that he would, at some future day, introduce a bill to make an appropriation for the Troy hospital.

In pursuance of previous notice,

Mr. Crook asked for and obtained leave to introduce a bill entitled, "An act to autorise the board of supervisors of Clinton county to investigate and adjust certain claims of George Divoll and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Crook asked for and obtained leave to introduce a bill entitled, "An act to authorise the trustees of the village of Plattsburgh to sell their engine lot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Crolius,

*Resolved*, That it be referred to the committee on manufactures to enquire into the expediency of further legislation more effectually to provide for the safety of mechanics, laborers and other persons engaged in establishments where steam engines are used.

On motion of Mr. Stanton,

The Senate proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Senators and Representatives of this State in Congress, are hereby requested to inquire whether injustice was done to the rights and interests of the people of this State by an act of Congress, approved Feb. 26, 1845, entitled, "An act to extend a patent heretofore granted to William Woodworth," commonly known as the act extending the patent for Woodworth's planing machine, and whether the passage of said act was procured through misunderstanding or misrepresentations, and whether it is not hostile to the spirit and objects of the patent laws; and if they shall be of the opinion that said act is liable to these objections, that they are hereby requested to use their best efforts to procure its immediate repeal.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

The President put the question whether the Senate would agree to the first of said resolutions, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said second resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

On motion of Mr. Owen,

*Resolved*, That the Attorney General be requested to examine Senate Doc. No. 31, vol. 11, of 1849, and, communicate his opinion to the Senate whether William W. Niles, upon the facts there stated, could recover damages for the loss sustained by him at Long Island Farms in May, 1847, against the State, if the State could be sued therefor as an individual or a corporation. And also whether, in his opinion, a bill providing for the payment of said Niles damages out of the emigration fund would be a two-third or a majority bill.

On motion of Mr. Mann,

The Senate proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

*Resolved*, That the Canal Commissioners are requested to report to the Senate the plan or plans projected or adopted since the first of January, 1848, for the enlargement of any of the State canals other than the Erie canal, or of any channel, section or portion of the same, now or hereafter to be connected therewith; whether by said plan or plans connections with other navigable waters are to be discontinued, and to what extent; the location, length and cost, or estimated cost of each portion now under contract; the amount done and remaining to be done; the law by which each is authorised, and the fund out of which the cost of each is payable; also a description of the plan and estimates of the cost of rebuilding the several locks, except on the Erie canal, now under contract, of the original and of the enlarged size; the changes, if any, in their location; the cost of bringing them into use resulting from such change; the authority for the same; and the fund from which the cost is payable.

The President put the question whether the Senate would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Guinnip,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

*Resolved*, That the committee appointed by the Senate to investigate the frauds practiced by the Canal Commissioners on the Chemung canal be, and they are hereby authorised to go to Jefferson in the county of Chemung, to take such evidence as they may think proper or necessary to aid them in such investigation, and that the said committee have power to summon before them such persons and papers in said county as they shall deem proper.

Mr. Schoonmaker moved to amend the said resolution, by striking out all after the word "resolved," and insert the following:

"That the select committee heretofore appointed on the subject of the alleged frauds on the Chemung canal, be authorised to visit Jefferson in Chemung county, and such other places as they shall deem expedient for the proper discharge of the duties confided to them."

Mr. Cook moved to amend the amendment of Mr. Schoonmaker



by inserting after the word "authorised," the words "after the close of the present session of the Legislature."

The President put the question whether the Senate would agree to the amendment of Mr. Cook, and it was decided in the negative.

The President then put the question whether the Senate would agree to said amendment of Mr. Schoonmaker, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

The bill entitled, "An act to authorise the appraisal and payment of canal damages to Augustus Morgan," having been amended by unanimous consent, was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Crolius	Mr. Guinnip	Mr. Schoonmaker	
Mr. Crook	Mr. Johnson	Mr. Skinner	
Mr. Curtis	Mr. Miller	Mr. Snyder	
Mr. Dimmick	Mr. Noyes	Mr. Stanton	
Mr. Geddes	Mr. Robinson	Mr. Tuttle	15

FOR THE NEGATIVE.

Mr. Beekman	Mr. Dart	Mr. Morgan	
Mr. Carroll	Mr. Fox	Mr. Owen	
Mr. Colt	Mr. Mann	Mr. Williams	
Mr. Cook			10

Mr. Johnson moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Johnson moved that the bill entitled, "An act authorising the appraisal and payment of canal damages to the Florida bridge company," be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

Mr. Cook moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate again proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

The President laid before the Senate the report of the Canal Board in answer to a resolution of the Senate of Jan. 19 in relation

to the Fort Miller dam, which was referred to the committee on claims.

(See Doc. No. 66.)

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the location of the New-York and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque," and after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to change the times and places of holding the general terms of the supreme court in the 7th judicial district," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the law for the assessment and collection of taxes," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Colt moved that the amendments offered in committee of the whole to said bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Carroll,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## WEDNESDAY, FEBRUARY 13, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Upham presented two petitions of inhabitants of Genesee and Allegany counties for aid to the Genesee College, which were referred to the committee on finance.

Mr. Crook presented two remonstrances of inhabitants of Clinton and Essex counties against bridging Lake Champlain at Rouses' Point, which were referred to the committee on railroads.

Mr. Geddes presented the petition of 121 persons praying to be heard before the Legislature on the question of slavery, which was referred to the select committee on that subject.

Mr. Colt presented the petition of inhabitants of Geneseo for an amendment of the general railroad law, which was referred to the committee of the whole having in charge the bill upon that subject.

Mr. Cross presented the petition of Stephen C. Jackson and others for a law to confirm the title to certain property in the 7th ward of the city of Brooklyn and for a partition thereof, which was referred to the committee on the judiciary.

Mr. Colt presented the petition of inhabitants of western New-York for a railroad from Buffalo to the New-York and Erie railroad, which was referred to the committee on railroads.

Mr. Brown presented the petition of inhabitants of Queens co. for the repeal of the free school law, which was referred to the committee of the whole when on a bill on that subject.

Mr. Upham presented the petition of inhabitants of Genesee co. for a reduction of the tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Beekman presented the memorial of Peter Wilson, chief and sachem of the Cayuga Indians for a law to authorise the said Cayuga Indians to purchase land, which was referred to the committee on Indian affairs.

Mr. Beekman presented the petition of Indians on the Cattaraugus reservation for a law to provide for remodeling the dams on the Cattaraugus creek so as not to obstruct the passage of fish, which was referred to the committee on the internal affairs of towns and counties.

Mr. Beekman presented the memorial of the legal voters of the Cattaraugus Indian reservation for a law to compel owners of property on the Seneca reservation to pay the legal assessment of highway taxes, which was referred to the committee on roads and bridges.

Mr. Williams presented the memorial of the society of Shakers of the town of Watervliet in reference to a resolution of the Senate in relation to Shakers, which was laid upon the table.

Mr. Geddes, from the committee on railroads, to which was referred the bill entitled, "An act in relation to the Lewiston railroad company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend 'An act incorporating the Hudson orphan and relief association,' passed April 21, 1846," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act for the relief of sutors in the supreme court in certain cases."

*Ordered,* That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act in relation to taxes for highway purposes in the county of Fulton," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the judges of the supreme court and other courts of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act making an appropriation for the support in part of certain incorporated orphan asylums in this State,' passed April 11, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Comptroller to receive the returns of certain unpaid taxes in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend section 25, title 2, chapter 13, of the first part of the Revised States, relative to affidavits of the value of property liable to taxation," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Carroll, gave notice that he would, on some future day, introduce a bill for the better protection of persons performing labor or furnishing materials, in the erection or repairing of buildings and appurtenances in the county of Rensselaer.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to provide for the erection, repairing and preservation of canal bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act making an appropriation for the Troy hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Johnson moved that the Senate reconsider its vote on the bill entitled, "An act authorising the appraisal and payment of canal damages to Augustus Morgan."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to regulate, confirm, define and limit the powers, privileges, liabilities and franchises of plank road companies," and that the same be recommitted to the committee on roads and bridges.

Mr. Dart moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in negative.

Mr. Stanton moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act making an appropriation for the relief of the Brooklyn orphan asylum," and that the same be recommitted to the committee on charitable and religious societies.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Brown,

The Senate proceeded to the consideration of the report of the committee of the whole on the bill entitled, "An act to establish a free school in district number three in the town of Newtown."

The question being on agreeing to the report of the committee of the whole,

Mr. Brown moved that said bill be recommitted to the committee of the whole, retaining its former place on the general orders.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Williams offered for the consideration of the Senate, the following resolutions, to wit:

*Resolved*, That a committee of three be appointed to enquire and ascertain whether the annual value or income of the property held by the trustees of any society of Shakers under the act in relation to certain trusts, passed April 15, 1839, exceeds \$5,000, and that such committee have power to send for persons and papers.

*Resolved*, That the resolutions passed on the 10th day of February calling on said trustees to report to the Senate, be rescinded.

Mr. Snyder moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, That the Governor be respectfully requested to transmit to each of our Senators and Representatives in Congress, a copy of the resolutions on the subject of rivers and harbors which have heretofore passed both Houses of this Legislature.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the location of the New-York

and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque," and after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to change the times and places of holding the general terms of the supreme court in the 7th judicial district," and after some time spent thereon, Mr. Robinson, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the collection of taxes in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Johnson moved that the committee of the whole be discharged from the further consideration of the bill entitled, "An act in relation to the trustees of the Alfred academy," and that the same be engrossed for a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Noyes,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## THURSDAY, FEBRUARY 14, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffery.

The journal of yesterday was read and approved.

Mr. Carroll presented the petition of inhabitants of Rensselaer county for relief of tenants under manorial titles, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Carroll presented the petition of inhabitants of Rensselaer county for amendment or repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Dimmick presented the remonstrance of inhabitants of the town of Chenango against any amendment of the charter of the village of Binghamton, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan presented the petition of merchants of New-York for a reduction of the tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Mann presented the petition of inhabitants of school district No. 5, in the town of Rome, for authority to change the site of their school house by a majority of the votes present at a district meeting, which was referred to the committee on literature.

Mr. Cross presented the petition of inhabitants of Brooklyn for an amendment of the law giving the Orphan Asylums of said city a share in the common school money also a resolution of the Brooklyn Catholic Orphan Asylum for the same, which was referred to the committee on literature.

Mr. Williams presented the petition of the colored Orphan Asylum of New-York city for aid from the State, which was referred to the committee on charitable and religious societies.

Mr. Cook presented the petition of inhabitants of the village of Whitehall for the establishment of a board of examiners for the qualification of homœopathic physicians, which was referred to the committee on medical societies and colleges.

Mr. Skinner presented petition of the trustees of the village of Carthage for an amendment of their charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Noyes presented the petition of the Butternutts and Oxford turnpike company for a law to abandon part of their road, which was referred to the committee on roads and bridges.

Messrs. Babcock, Robinson, Upham, and Stanton presented seven petitions of inhabitants of Erie, Wyoming, Monroe, and Wayne counties for aid to the Genesee college.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the report of the Secretary of State, Attorney General and Comptroller, in relation to the sale of lands for taxes, reported a bill entitled, "An act in relation to the collection of taxes on lands of non-residents and to provide for the sale of such lands for taxes in the counties where they are assessed," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to amend section twenty-five, title two, chapter thirteen, of the first part of the Revised Statutes relative affidavits of the value of property liable to taxation," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cook, from the committee on banks and insurance companies, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Hudson city savings bank," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Snyder,

Said bill was committed to the committee of the whole having in charge the bill incorporating the Albany city savings institution.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act in relation to the trustees of the Alfred academy."

"An act to change the times and places of holding the general terms of the supreme court in the 7th judicial district."

"An act in relation to the location of the New York and Erie railroad through the counties of Allegany, Cattarugus and Chautauque."

*Ordered*, That said bills do have their third reading.

Mr. Mann, from the committee on poor laws, to which was referred the bill from the Assembly entitled, "An act in relation to juvenile delinquents," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act making an appropriation for the relief of the Brooklyn orphan asylum," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act making an appropriation for the support in part of certain incorporated orphan asylums in this State,' passed April 11, 1849," reported in favor of the passage of same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to authorise the trustees of the village of Plattsburgh to sell their engine lot," reported in favor of the passage of the same without amendment.

Mr. Crook moved that said bill be ordered engrossed for a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beach, from the committee on public printing, to which was referred the resolution offered by Mr. Geddes, in regard to printing extra numbers of report of the committee on bank and insurance companies respecting circulation of bills of safety fund banks whose charters have expired, reported in favor of printing five times the usual number of said report and bill in document form.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to revise and amend the several acts relating to the city of Brooklyn."

Mr. Carroll gave notice that he would to-morrow introduce a bill to amend the act incorporating the mechanics' humane association in Troy.

Mr. Tuttle gave notice that he would ask leave to introduce a bill



to authorise the Delaware plank road company to change the route of their road.

Mr. Brown gave notice that he would, at an early day, ask leave to introduce a bill to amend the act passed May 13, 1847 entitled "An act to provide for the enrollment of the militia."

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the county of Richmond,' passed May 11, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Johnson,

*Resolved*, That the petitions of Wm. Logan and Messrs. Stewart & Co., be taken from the files of the Senate and recommitted to the committee on claims.

On motion of Mr. Williams,

The Senate then proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

*Resolved*, That a committee of three be appointed to enquire and ascertain whether the annual value or income of the property held by the trustees of any society of Shakers under the act in relation to certain trusts, passed April 15, 1839, exceeds \$5,000, and that such committee have power to send for persons and papers.

*Resolved*, That the resolutions passed on the 10th day of February calling on said trustees to report to the Senate, be rescinded.

Mr. Carroll moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Carroll	Mr. Geddes
Mr. Brandreth	Mr. Colt	Mr. Guinnip
Mr. Brown	Mr. Dimmick	Mr. Robinson
		9

#### FOR THE NEGATIVE.

Mr. Cook	Mr. Fox	Mr. Skinner
Mr. Crolius	Mr. Mann	Mr. Snyder
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Dart	Mr. Schoonmaker	
		17

The President then put the question whether the Senate would agree to the adoption of the second of said resolutions, and it was decided in the negative.

The hour of 12 o'clock having arrived,

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act to authorise the formation of railroad corporations," and after some time

spent thereon, Mr. Morgan, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Geddes moved that said bill be made the special order for to-morrow, immediately after the executive session.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act to incorporate the city of Syracuse passed December 14, 1847 and also the act amending the same passed April 5, 1849" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Carroll,

The Senate then adjourned until 11 o'clock to-morrow morning.

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## FRIDAY, FEBRUARY 15, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Carroll presented four several petitions of inhabitants of Troy for an appropriation to the Troy hospital, which was referred to the committee on charitable and religious societies.

Mr. Crook presented three several remonstrances of inhabitants of Washington and Essex counties against bridging lake Champlain at Rouse's point, which was referred to the committee on railroads.

Mr. Beekman presented two several petitions of inhabitants of Kings and New-York counties for a law to prohibit burials in cities and villages, which was referred to the committee on the incorporation of cities and villages.

Messrs. Colt and Dimmick presented three several petitions of inhabitants of Allegany and Stueben counties for aid to the Genesee college, which was referred to the committee on finance.

Mr. Cross presented the remonstrance of inhabitants of the city of Brooklyn against giving power to the Brooklyn benevolent society to sell any portion of their lands in said city, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Dimmick presented the remonstrance of inhabitants of the village of Binghamton against any amendments of the charter of said village, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Beach presented the petition of merchants of New-York for a reduction of tolls on the State canals, which was referred to the committee on finance.

Mr. Snyder presented the petition of inhabitants of Dutchess county for the relief of tenants under manorial titles, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Tuttle presented the petition of inhabitants of Greene county for an amendment of the law in relation to the division of towns into election districts, which was referred to the committee on the judiciary.

Mr. Mann presented the proceedings of a mass meeting of inhabitants of Oneida county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

The President presented the petition of inhabitants of Westfield for the establishment of boarding schools among the several tribes of Indians in this State, which was referred to the committee on literature.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act for the better security of mechanics and others erecting building and furnishing materials therefor in the county of Richmond passed May 11, 1846," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred a bill from the Assembly entitled "An act to provide for the collection of taxes in the city of Albany," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill entitled "An act to incorporate the south Brooklyn savings institution," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act to provide for the erection of a school house in district No. 5 in the town of Rome and to change the site thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mann,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to authorise the board of supervisors of Clinton county to investigate and adjust certain claims of George Devoll and others," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and

counties, to which was referred the bill from the Assembly entitled, "An act to authorise the Comptroller to receive the returns of certain unpaid taxes in the county of Wyoming," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorise the trustees of the village of Plattsburgh to sell their engine house."

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, Feb. 15, 1850. }

*To the Senate:*

I have this day approved and signed the following entitled bill :

"An act for the relief of suitors in the supreme court in certain cases."

HAMILTON FISH.

The President laid before the Senate the annual report of the Albany savings bank, which was referred to the committee on banks and insurance companies.

The President laid before the Senate a communication from the Canal appraisers in answer to a resolution of the Senate of the 7th inst., in relation to the claim of John Watkins of the town of Fayette in the county of Seneca, which was referred to the committee on claims.

(See Doc. No. 63.)

Mr. Schoonmaker gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled, "An act to provide for the incorporation and regulation of telegraph companies," passed April 12, 1848.

In pursuance of previous notice,

Mr. Tuttle asked for and obtained leave to introduce a bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to provide for the settlement of the accounts of testamentary trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mann gave notice that he would, at some future day, ask leave to bring in a bill to submit the question of a repeal of the act establishing free schools throughout the State to the decision of the electors at the next annual election.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the select committee appointed by the Senate to investigate the charges preferred by the Senator from the 26th district against the conduct of certain canal commissioners, be directed to furnish said commissioners with a copy of said charges, and allow them to be heard before the said committee.

Pending the question thereon,

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The President then announced the special order of the day, being the bill entitled, "An act to provide for the formation of railroad corporations."

Mr. Cook moved that the special order be suspended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resumed the consideration of the resolution of Mr. Cross

Debate was had thereon, when

Mr. Mann moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Crook	Mr. Guinnip	Mr. Snyder
Mr. Curtis	Mr. Mann	

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#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Johnson	Mr. Schoonmaker
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius		

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The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Johnson	Mr. Schoonmaker

Mr. Cook  
Mr. Crolius  
Mr. Cross

Mr. Miller  
Mr. Morgan

Mr. Upham  
Mr. Williams

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## FOR THE NEGATIVE.

Mr. Brandreth  
Mr. Carroll  
Mr. Crook  
Mr. Curtis

Mr. Dart  
Mr. Fox  
Mr. Guinnip  
Mr. Mann

Mr. Noyes  
Mr. Skinner  
Mr. Snyder

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On motion of Mr. Robinson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the petitions of citizens of Wyoming county relating to the equalization of taxation by the board of supervisors of said county, and that the same be referred to the committee on internal affairs of towns and counties.

Mr. Johnson moved that the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," be made the special order for Monday next at 12 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the formation of railroad corporations," and after some time spent thereon, Mr. Morgan, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Geddes moved that said bill be made the special order for to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Dart offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the general orders shall have precedence of all other business on Mondays and Thursdays of each week, after the order of notices and introduction of bills is passed.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Crolius,

*Resolved*, That on and after Monday next, the 18th inst., the Senate will meet at 10 o'clock.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation for Sing Sing prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

A message was received from the Assembly, informing that they had passed the resolutions of the Senate in relation to slavery in territories now free, with the following amendment:

Strike out all after the words "constitutional means," in the second resolution, and insert the following: "And recognising the con-

stitutional power of Congress to prohibit, by positive enactment, the extension of slavery into free territory, our Senators in Congress are hereby instructed and our Representatives requested to use their best efforts to insert such positive prohibition into any law they may pass for the government of the territories in question."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Carroll	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Cross	Mr. Miller	

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FOR THE NEGATIVE.

Mr. Brandreth

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*Ordered*, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in their amendment thereto.

On motion of Mr. Miller,

*Resolved*, That the committee on roads and bridges be discharged from the further consideration of the memorial of the legal voters of the Cattaraugus reservation praying for a law to compel the owners of property on the Seneca reservation to pay the legal assessment for highway taxes in labor or otherwise, and that said memorial be referred to the committee on Indian affairs.

Leave of absence was granted to Mr. Brown for five days.

On motion of Mr. Colt,

The Senate then adjourned until 11 o'clock to-morrow morning.

SATURDAY, FEBRUARY 16, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffery.

The journal of yesterday was read and approved.

Mr. Fox presented the petition of inhabitants of Herkimer for the redemption of bank notes in the city of New York at par, which was referred to the committee of the whole having charge of the bill on that subject.

Mr. Babcock presented the petition of inhabitants of Buffalo for a general railroad law, which was referred to the committee of the whole having charge of the bill on that subject.

Mr. Owen presented the petition of members of the bar of Cattaraugus and Chautauque counties for an amendment of the law in relation to sheriffs' fees, which was referred to the committee on the judiciary.

Mr. Colt presented two several petitions of inhabitants of Livingston county for aid to the Genesee academy, which was referred to the committee on finance.

Messrs. Noyes and Snyder presented two several petitions of inhabitants of Columbia and Chenango counties for the modification or repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Beach from the committee on State prisons, to which was referred a bill from the Assembly entitled "An act making an appropriation for the Sing Sing prison," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Butternutts and Oxford turnpike company to abandon part of their road," which was read the first time, and by unanimous consent was also read the second time; and committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled "An act to amend the charter of the village of Carthage," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Dart,

The Senate proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

*Resolved*, That the general orders have preference of all other business on Mondays and Thursdays of each week after the order of motions and introduction of bills.



Mr. Cook moved to amend by striking out "Mondays and Thursdays" and insert "Wednesdays and Saturdays."

Mr. Dart moved to amend the said resolution by inserting after the word "resolved" the words "that it be referred to a select committee to inquire and report into the expediency of amending the rules of the Senate as to provide."

The President then put the question whether the Senate would agree to said amendment of Mr. Dart, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

*Ordered*, That Messrs. Dart, Cross and Geddes be said committee.

The bill entitled "An act to change the times and places of holding the general terms of the supreme court in the seventh judicial district," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Cook	Mr. Fox	Mr. Schoonmaker
Mr. Crolius	Mr. Geddes	Mr. Skinner
Mr. Crook	Mr. Morgan	Mr. Snyder
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Curtis		

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#### FOR THE NEGATIVE.

Mr. Colt	Mr. Miller	Mr. Williams	3
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to provide for the erection of a school house in the town of Rome and to change the site thereof."

*Ordered*, That the said bill do have its third reading.

The bill entitled "An act to authorise the trustees of the village of Plattsburgh to sell or exchange their engine house," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Crook	Mr. Geddes	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Cook	Mr. Morgan	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the erection of a school house in the town of Rome and to change the site thereof," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes	
Mr. Beach	Mr. Dinmick	Mr. Robinson	
Mr. Colt	Mr. Fox	Mr. Schoonmaker	
Mr. Cook	Mr. Geddes	Mr. Skinner	
Mr. Crolius	Mr. Guinnip	Mr. Snyder	
Mr. Crook	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on a bill entitled, "An act to authorise the formation of railroad corporations," and after some time spent thereon, Mr. Morgan, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations in part for the expenses of government for the fiscal year commencing October first 1849, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Robinson gave notice that he would at an early day ask leave to introduce a bill to authorise the Williamsport and Elmira railroad company chartered by the legislature of Pennsylvania to construct a railway from the Pennsylvania line to connect their road with the N. Y. and Erie railroad at or near Elmira.

On motion of Mr. Schoonmaker,

The Senate then adjourned until 10 o'clock on Monday morning.

MONDAY, FEBRUARY 18, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of Saturday was read and approved.

Messrs. Johnson, Carroll, and Cook presented four several remonstrances of inhabitants of Rensselaer, Washington, and Clinton counties against bridging lake Champlain at Rouse point, which was referred to the committee on railroads.

Mr. Carroll presented the petition of inhabitants of Rensselaer county for a law to stay the collection of rents until the disposition of certain suits relative to manorial titles, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Johnson presented the remonstrance of inhabitants of Montgomery county against the plank road law as reported by the committee on roads and bridges, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan presented the memorial of the mayor of New York for the reenactment of the law of 1832 in relation to the public health, which was referred to a select committee consisting of Senators from the 3d, 4th, 5th, and 6th districts.

Mr. Guinnip presented the petition of inhabitants of Broome county for the establishment of the Hahneman academy of medical, which was referred to the committee on medical societies and colleges.

Mr. Dimmick presented three several petitions of inhabitants of the town of Chenango, Broome county, for the repeal of the plank road law so far as it relates to public highways, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Beach presented the petition of inhabitants of Cayuga county for repeal of the law exempting the property of ministers of the gospel from taxation, which was referred to the committee on the judiciary.

Mr. Robinson presented two several petitions of inhabitants of Wyoming county for a law authorising the appointment of a board of commissioners to equalize taxation in said county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Guinnip presented two several petitions of inhabitants of Chemung county for the repeal of the charter of the Hector and Catharine road and bridge company, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Guinnip presented the petition of inhabitants of Steuben county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Schoonmaker presented the petition of inhabitants of Ulster

county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Schoonmaker presented the petition of the owners of the Pecama and Beaver Kill swamp for an amendment of the law to drain the Pecama Vlie and Beaver Kill swamp, which was referred to the committee on the internal affairs of towns and counties.

Mr. Schoonmaker presented the petition of James R. Moss for payment for extra work done on the Erie canal, which was referred to the committee on claims.

Mr. Beach presented the remonstrance of grand jury and district attorney of Monroe county against changing the local laws of said county by the proposed code, which was referred to the committee on the judiciary.

Mr. Crolius presented the petition of the board of managers of the house of industry and house for the friendless for aid from the State, which was referred to the committee on finance.

Mr. Schoonmaker presented the petition of inhabitants of Ulster county for an agricultural college and experimental farm, which was referred to the committee on agriculture.

Mr. Colt presented the petition of Wm. McCracken for a law authorizing him to hold and convey real estate, which was referred to the committee on the judiciary.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported in writing, and introduced a bill entitled, "An act to pay Thomas Marvine for the loss of a horse while acting in obedience to the direction of the sheriff of Delaware county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to amend an act incorporating the mechanics' humane association in Troy and the act amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Robinson asked for and obtained leave to introduce a bill entitled, "An act to authorise the Williamsport and Elmira railroad company, incorporated by the state of Pennsylvania, to construct a portion of their road in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Schoonmaker asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on the judiciary.

Mr. Morgan gave notice that he would, at some future day, ask leave to introduce a bill to provide for an equitable settlement of accounts between the State Treasury and the city and county of New-York.

On motion of Mr. Dimmick,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to authorise the appraisal and payment of canal damages to Augustus Morgan," and that the same be ordered to a third reading.

The bill entitled, "An act in relation to the trustees of the Alfred academy," having been amended by unanimous consent, was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Crolius	Mr. Guinnip	Mr. Snyder
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
		21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to establish a free school in district number three in the town of Newtown," and after some time spent thereon, Mr. Skinner, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the law for the assessment and collection of taxes," and after some time spent thereon, Mr. Schoonmaker, from said committee, reported in favor of the passage of the same with amendments.

Mr. Curtis moved the report of the committee of the whole be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President laid before the Senate a communication from the Attorney General in answer to a resolution of the Senate of Feb. 12, in relation to the claim of W. W. Niles, which was laid upon the table.

The President also laid before the Senate the annual report of the governors of the New-York hospital, which was referred the committee on finance.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," and after some time spent thereon, Mr. Cross, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to enable turnpike companies in certain cases to sell their road-way rights and other property," and after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of the same with amendments, and with the title thereof altered so as to read as follows: "An act to enable the Kingston and Middletown turnpike road company to sell their road-way rights and other property."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehall," and after some time spent thereon, Mr. Noyes, from said committee, reported progress, and asked leave to sit again.

Mr. Cook moved that the committee of the whole be discharged from the further consideration of said bill, and that it be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Cook, Cross and Snyder, be such committee.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to release to the relatives of Emma Hughes, late of London in England, deceased, the interest of the people of the State of New-York in certain personal property," and after some time spent thereon, Mr. Crolius, from said committee, reported in favor of the passage of the same with amendments.

Mr. Cook moved that the report of the committee of the whole be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act relative to the State Library and the Regents of the University."

"An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under an act for the appraisement of his damages, passed December 14, 1847."

And after some time spent on said first mentioned bill, Mr. Curtis, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Curtis, from the same committee, reported in favor of the passage of said second mentioned bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, February 15, 1850. }*

*To the Senate :*

I have this day approved and signed the following entitled bill :

"An act to authorise the commissioners of the Ogdensburgh and Canton road to borrow money and to convert the road into a plank road."

HAMILTON FISH.

On motion of Mr. Geddes and by unanimous consent,

*Resolved*, That the bill from the Assembly entitled, "An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and the act passed April 5, 1849," be printed for the use of the Senate.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend 'An act relating to the redemption of bank notes,' passed May 14, 1840," and after some time spent thereon, Mr. Crook, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to make the offices of health officer and deputy health officer of the port of New-York salary officer," and after some time spent thereon, Mr. Geddes, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Beach moved that the committee of the whole be discharged from the further consideration of said bill, and that it be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Cook,

The Senate then adjourned until 10 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 19, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The journal of yesterday was read and approved.

Messrs. Cook and Crook presented three several remonstrances of inhabitants of Washington and Clinton counties against bridging lake champlain at Rouse's point, which was referred to the committee on railroads.

Mr. Johnson presented the petition of inhabitants of Schenectady for the par redemption of bank notes in the city of New-York, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Crook presented the memorial of A. C. Platt and others for a law to punish the putting up of dry goods with short measure, which was referred to the committee on manufactures.

Mr. Stanton presented the petition of inhabitants of Tompkins county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Stanton presented the petition of inhabitants of Syracuse praying that Gerrit Smith may be heard before the Senate and Assembly on the subject of slavery, which was referred to a select committee.

Mr. Curtis presented the petition of citizens of Sullivan county for the incorporation of the Barry Ville and Shehota Delaware bridge company, which was referred to the committee on roads and bridges.

Mr. Carroll presented the petition of citizens of Washington county for a law to stay the collection of rents until the determination of certain suits under manorial titles, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Cross presented the petition of inhabitants of Kings county for provision for the education of neglected and destitute children of this State, which was referred to the committee on charitable and religious societies.

Mr. Dart presented the petition of the trustees of the village of Ogdensburgh for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act making appropriations in part for the expenses of government for the fiscal year commencing October 1, 1849 and for other purposes," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and



counties, to which was referred the bill entitled, "An act to incorporate the New York hotel company," reported in favor of the passage of the same with amendment, which was committed to the committee of the whole.

Mr. Guinnip from the committee on militia and public defence, to which was referred the bill entitled, "An act to authorise the sale of certain arsenals and other property, and to provide for the safe keeping of the arms and property belonging to the State," reported in favor of the passage of the same without amendment, which was committed to the committee the of whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Mr. McCracken for a law to authorise him to hold and convey real estate, reported in writing adverse to the prayer of the petitioner, and offered the following resolution, to wit :  
*Resolved*, That the prayer of the petitioner ought not to be granted.

(See Doc. No. 62.)

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to extend the charter of the Schoharie central bridge company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Noyes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under an act for the appraisement of his damage passed December 14, 1847."

"An act to enable the Kingston and Middletown turnpike road company to sell their roadway rights and other property."

*Ordered*, That said bills do have their third reading.

Mr. Carroll, from the committee on literature, to which was referred the resolutions on the subject of the reduction of postage, reported in writing and offered the following resolutions :

*Resolved*, (if the assembly concur,) That our Senators in Congress are hereby instructed, and our representatives requested, to use their best efforts to secure the passage of an act establishing a uniform rate of postage throughout the United States of two cents on all letters weighing half an ounce, if pre-paid, or four cents for each half ounce if not pre-paid : Also, (for the purpose of more satisfactorily testing the practicability of such a reduction of the postage rates,) to use their best efforts to secure by further enactment, the keeping of a distinct account of all matter allowed to pass through the mails free of postage, and to make the same, except such as shall relate to the business of the post office department, a charge, at the rates of other mail matter, upon the treasury of the

United States : Also, to use their best exertions, by further enactment, to provide for the conveyance by mail, postage free, of all regular newspapers in the United States, within the counties in which they are printed and published.

*Resolved*, (if the assembly concur,) That the governor be requested to forward copies of the foregoing resolution, to each of our senators and representatives in congress.

(See Doc. No. 55.)

Mr. Babcock moved that the said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Crook moved that five times the usual number of the said report be printed for the legislature and 500 for the use of the committee.

*Ordered*, That said report shall be referred to the committee on public printing.

Mr. Upham, from the minority of the committee on banks and insurance companies, to which was referred so much of the Governor's message as relates to banking and currency, reported in writing and offered the following resolution :

*Resolved*, That the committee on finance be instructed to report a bill which shall provide for the effectual enforcement of the laws for the assessment and collection of taxes against all individual bankers and banking associations.

(See Doc. No. 70.)

*Ordered*, That said report be referred to the committee of the whole having in charge the bill on that subject.

Mr. Geddes moved that five times the usual number of the said report be printed for the use of the Legislature.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of John Stewart & Co. for pay for damages sustained by him in the Erie canal enlargement, reported in writing adverse to the prayer of the petitioners, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 64.)

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, Feb. 19, 1850. }

*To the Legislature:*

I enclose herewith a memorial addressed to the Legislature from the chiefs, head-men and warriors of the Tuscarora tribe of Indians residing in western New-York, which I have been requested in their behalf to present to your notice.

HAMILTON FISH.

(See Doc. No. 65.)

*Ordered*, That said coramunication be referred to the committee on Indian affairs.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled, "An act to provide for an equitable settlement of accounts between the State Treasury and the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Brandreth gave notice that he would, at an early day, ask leave to introduce a bill for the formation of a school district of the town of West Farms, Westchester county.

On motion of Mr. Cook,

*Resolved*, That the bill for the amendment of the act in relation to the redemption of bank notes, be made the special order for Wednesday the 27th inst., at 12 o'clock.

On motion of Mr. Johnson,

*Resolved*, That the petition of Richard Willson be taken from the files and referred to the committee on claims.

On motion of Mr. Stanton,

*Resolved*, That the petition, affidavits and other papers, placed on the files of the Senate at the last session, in the case of John G. Evans, a claimant for canal damages, be taken from the files and referred to the committee on claims.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 37, being the bill in relation to the police of the town of Watervliet, and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Johnson, Schoonmaker and Noyes, be said committee.

On motion of Mr. Miller,

*Resolved*, That the committee on roads and bridges be discharged from the further consideration of the petition of John Nichols and George W. Webster for relief, and the same be referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Mann,

*Resolved*, That the bill from the Assembly to regulate, confirm and define the powers, privileges, liabilities and franchises of plank

road companies, be referred to a select committee to report complete.

*Ordered*, That Messrs. Mann, Johnson and Geddes, be said committee.

On motion of Mr. Colt,

*Resolved*, That the committee on the internal affairs of towns and counties be discharged from the further consideration of the petitions in relation to the fees of county clerks, the extension of the time for collecting taxes, the fees of sheriffs, and that they be referred to the committee of the whole on the bill amending the act vesting in the boards of supervisors certain legislative powers.

On motion of Mr. Colt,

*Resolved*, That the bill in relation to the assessment and collection of taxes, be taken from the table and referred to a select committee of five to report complete.

*Ordered*, That Messrs. Colt, Johnson, Dart, Cook and Stanton, be said committee.

On motion of Mr. Morgan,

*Resolved*, That the Assembly bill No. 143, being "An act making appropriations in part for the expenses of government for the fiscal year commencing October 1, 1849, and for other purposes," be made the special order for this day, immediately after executive session.

The bill entitled, "An act to authorise the formation of railroad corporations," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Owen
Mr. Carroll	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Mann	Mr. Snyder
Mr. Crook	Mr. Miller	Mr. Stanton
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to enable the Kingston and Middle-town turnpike company to sell their roadway right and other property," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson

Mr. Carroll	Mr. Fox	Mr. Schoonmaker
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis	Mr. Noyes	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the location of the New-York and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque," having been amended by unanimous consent, was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Miller	Mr. Stanton
Mr. Cook	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Owen	

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## FOR THE NEGATIVE.

Mr. Colt	Mr. Dimmick	Mr. Morgan
Mr. Cross	Mr. Guinnip	Mr. Snyder
Mr. Curtis	Mr. Mann	Mr. Williams

9

Mr. Owen moved to reconsider the vote on the final passage of said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Owen moved to lay the question on the final passage of said bill on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under the act for the appraisal of his damages, passed December 14, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all themembers elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Dimmick	Mr. Owen
Mr. Colt	Mr. Fox	Mr. Robinson

Mr. Cook	Mr. Guinnip	Mr. Schoonmaker	
Mr. Crolius	Mr. Johnson	Mr. Skinner	
Mr. Crook	Mr. Mann	Mr. Snyder	
Mr. Cross	Mr. Miller	Mr. Stanton	
Mr. Curtis	Mr. Morgan	Mr. Stone	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

Mr. Cook moved that so much of the order of the Senate as provides for the holding of executive sessions on Tuesday of each week be suspended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill from the Assembly entitled, "An act making appropriations in part for the expenses of government for the fiscal year commencing October first, 1849, and for other purposes," and after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

On motion of Mr. Cook,

The Senate then adjourned until 10 o'clock on Monday morning.

## WEDNESDAY, FEBRUARY 20, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kip.

The journal of yesterday was read and approved.

Mr. Stanton presented the remonstrance of inhabitants of Cayuga county against a direct railway or consolidation of the Syracuse and Rochester railroad, which was referred to the committee on railroads.

Mr. Robinson presented the petition of inhabitants of Alleghany county for repeal of the free school law, and in relation to the assessment and collection of taxes.

*Ordered*, That so much of said petition as relates to free schools

be referred to the committee of the whole having in charge the bill on that subject, and so much of said petition as relates to taxes be referred to the select committee having in charge the bill on that subject.

Mr. Colt presented the petition of inhabitants of Genesee for aid to the Genesee academy, which was referred to the committee on finance.

Mr. Brown presented the petition of Wm. Hamilton for authority to build docks in front of his lands in the town of Flushing, which was referred to the committee on commerce and navigation.

Mr. Crolius presented the petition of the American female guardian society for an amendment of their charter, which was referred to the committee on charitable and religious societies.

Mr. Cross presented the petition of Daniel Richards and others for authority to construct docks in front of their lands in the city of Brooklyn, which was referred to the committee on commerce and navigation.

Mr. Johnson presented the petition of inhabitants of Schenectady for the establishment of a board of examiners for the Hahneman academy of medicine, which was referred to the committee on medical societies and colleges.

Mr. Brandreth presented the petition of inhabitants of the town of West Farms for a law to form said town into a permanent school district, which was referred to the committee on literature.

Mr. Babcock presented the petition of citizens of Buffalo for a law authorising said city to loan its credit to certain railroad corporations, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of citizens of Skaneateles for the abolition of capital punishment, which was referred to the committee on the judiciary.

Messrs. Crook and Cook presented four several remonstrances of inhabitants of Washington and clinton counties against bridging lake Champlain at Rouse point, which was referred to the committee on railroads.

Mr. Brown presented the petition of inhabitants of New York for repeal of the usury laws, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Carroll presented the petition of inhabitants of Rensselaer county for an amendment of the laws in relation to the fees of sheriffs, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act to provide for an equitable settlement of the accounts between the state treasury and the city and county of New York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to repeal certain parts of the Revised Statutes exempting the

property of ministers of the gospel from taxation," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the settlement of the accounts of testamentary trustees," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of the inhabitants of Greene county for an amendment of the law relative to the division of towns into election districts, reported adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act for the protection of purchasers of real estate upon sales by order of surrogates," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred a bill from the Assembly entitled, "An act in relation to the judges of the supreme court and other courts of this state," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of the inhabitants of Broome county for a law to secure mechanics' and others erecting buildings, &c. reported and asked to be discharged from further consideration thereof, and that the same be referred to the committee of the whole having in charge the bill on that subject for the county of Rensselaer.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, reported the bill entitled, "An act to amend 'An act to drain the Pecama, Vlie, and Beaver Kill swamp in the county of Ulster,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Schoonmaker,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of James M. Case for damages to a canal boat by the breaking of a weigh-lock, reported in writing adverse to the prayer of the petitioner, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Dimmick moved that said report be laid upon the table.



The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beach, from the committee on public printing, to which was referred the motion to print five times the usual number of the report of the minority of the bank committee on the redemption of bank notes at par in New-York and Albany, reported, and offered the following resolution :

*Resolved*, That five times the usual number of the said report be printed for the use of the Legislature.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Beach, from the committee on public printing, to which was referred the motion to print five times the usual number of the report of the committee on literature on the subject of postage for the use of the Legislature, and 500 for the use of said committee, reported, and offered the following resolution :

*Resolved*, That five times the usual number of the said report be printed for the use of the Legislature, and 500 copies for the use of the committee on literature.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Palatine and Euphratah plank road company to erect a bridge across the Mohawk," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Johnson, from the select committee to which was referred the bill entitled, "An act to amend certain parts of the Revised Statutes and to regulate the police of the town of Watervliet," to report complete, reported the same complete with amendments, and the title amended so as to read, "An act to amend the Revised Statutes in relation to courts of special sessions and to regulate the police of the town of Watervliet," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook, from the select committee to which was referred the bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehal," to report complete, reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Morgan, from the select committee, to which was referred a memorial for that purpose, reported the bill entitled, "An act in relation to the board of health of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman presented the annual report of the trustees of the northern dispensary of the city of New-York, which was referred to the committee on medical societies and colleges.

(See Doc. No. 103.)

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Johnson gave notice that he would at an early day ask leave to introduce a bill to compel the New-York and Erie railroad company to pay tolls upon freight transported on said road.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to restrain district attorneys from practising in civil proceedings in certain cases.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to provide for the conveyance of certain lands in the city of Buffalo by the direction of the Commissioners of the Land Office, and to contract the width of certain streets in said city.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to provide for the assessment and collection of taxes in the city of Albany," and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Johnson, Beekman and Cross, be said committee.

On motion of Mr. Robinson,

*Resolved*, That Assembly bill No. 42, relating to certain unpaid taxes in the county of Wyoming, be taken from the general orders and ordered to a third reading.

On motion of Mr. Babcock,

*Resolved*, That the Clerk, under the direction of the President, cause the portrait of Columbus, now in the anteroom, to be removed from its present unsafe position, cleaned, and hung in some appropriate place in the Senate chamber, and that the Clerk pay any expense attending the same out of the contingent fund.

On motion of Mr. Owen,

*Resolved*, That Assembly bill No. 52, entitled "An act to authorise certain towns in the counties of Erie and Cattaraugus to raise money to construct and repair roads and bridges on Indian lands lying within their borders," be taken from the general orders and ordered to a third reading.

On motion of Mr. Miller,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to authorise the Westfield and Clymer plank road company to borrow money," and the same ordered to a third reading.

On motion of Mr. Beach,

*Resolved*, That the committee of the whole be discharged from the further consideration of the act respecting the taxation of banking associations and individual bankers, and the same be recommitted to the committee on banks and insurance companies.

On motion of Mr. Williams,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act making appropriations for the Sing Sing prison," and that the same be ordered to a third reading.

On motion of Mr. Carroll,

*Resolved*, That the bill to amend the "Act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy," be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That Messrs. Carroll, Noyes and Crolius, be such committee.

On motion of Mr. Brown,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to provide for the establishment of a free school in district No. 3 in the town of Newtown," and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Brown, Cross and Williams, be such committee.

The bill from the Assembly entitled, "An act making appropriations in part for the support of government for the fiscal year commencing October 1, 1849, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

23

#### FOR THE NEGATIVE.

Mr. Stone

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Owen,

The Senate proceeded to the consideration of the bill entitled, "An act in relation to the location of the New-York and Erie railroad in the counties of Allegany, Cattaraugus and Chautauque."

Debate was had thereon, when

The said bill was again read the third time, and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Johnson	Mr. Skinner
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Cook	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Owen	

17

## FOR THE NEGATIVE.

Mr. Brown	Mr. Dimmick	Mr. Morgan
Mr. Cross	Mr. Guinnip	Mr. Snyder
Mr. Curtis	Mr. Mann	

8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise certain towns in the counties of Erie and Cattaraugus to raise money to construct and repair roads and bridges on Indian lands lying within their borders," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the Westfield and Clymer plank road company to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

On motion of Mr. Williams,

*Resolved*, That the committee of the whole be discharged the further consideration of the bill from the Assembly entitled "An act making appropriations for the Sing Sing prison," and the same be ordered to a third reading.

On motion of Mr. Carroll,

*Resolved*, That the bill to amend the "Act to provide for the appointment of commissioners to ascertain the value of the real estate and the taking private property for public use in the city of New York," be reported complete. 21

*Ordered*, That Messrs. Carroll, Noyes and Stanton be appointed a committee without delay to report on the bill.

On motion of Mr. Brown,

*Resolved*, That the committee of the whole be discharged the further consideration of the bill from the Assembly entitled "An act for the establishment of a free school in the city of New York," and that the same be reported complete. 21

*Ordered*, That Messrs. Brown, Noyes and Stanton be appointed a committee without delay to report on the bill.

The bill from the Assembly entitled "An act in relation to the suppression of the sale of opium," was read the third time and passed the Senate voting in favor thereof, as follows:

Mr. Morgan  
Mr. Noyes  
Mr. Owen  
Mr. Robinson  
Mr. Skinner  
Mr. Stanton 18

#### FOR THE NEGATIVE.

Mr. Beach  
Mr. Beckwith  
Mr. Brainerd  
Mr. Brown  
Mr. C. C. Conover  
Mr. Curtis  
Mr. Deane  
Mr. D. D. Deane  
Mr. E. D. Deane  
Mr. F. D. Deane  
Mr. G. D. Deane  
Mr. H. D. Deane  
Mr. I. D. Deane  
Mr. J. D. Deane  
Mr. K. D. Deane  
Mr. L. D. Deane  
Mr. M. D. Deane  
Mr. N. D. Deane  
Mr. O. D. Deane  
Mr. P. D. Deane  
Mr. Q. D. Deane  
Mr. R. D. Deane  
Mr. S. D. Deane  
Mr. T. D. Deane  
Mr. U. D. Deane  
Mr. V. D. Deane  
Mr. W. D. Deane  
Mr. X. D. Deane  
Mr. Y. D. Deane  
Mr. Z. D. Deane

Mr. Curtis Mr. Williams

4

#### FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Brandreth  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross  
Mr. Dart  
Mr. Fox  
Mr. Mann  
Mr. Miller  
Mr. Morgan  
Mr. Noyes  
Mr. Owen  
Mr. Robinson  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Williams

20

That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Resolved itself into a committee of the whole on a bill for the relief of tenants holding lands unpaid taxes in this State," and after some time spent thereon, the committee, reported progress, and asked leave to sit again.

On motion, entitled, "An act to authorise the levy of certain unpaid taxes in the State," read the third time and passed, a majority of the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Mr. Curtis	Mr. Robinson
Mr. Dart	Mr. Schoonmaker
Mr. Dimmick	Mr. Skinner
Mr. Fox	Mr. Snyder
Mr. Guinnip	Mr. Stanton
Mr. Miller	Mr. Stone
Mr. Noyes	Mr. Williams

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Crolius,  
The Senate then adjourned until 10 o'clock to-morrow morning.

THURSDAY, FEBRUARY 21, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The journal of yesterday was read and approved.

Messrs. Schoonmaker, Miller, and Brown presented five several petitions of the inhabitants of Ulster, Monroe, Queens, and Suffolk counties for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Guinnip	Mr. Schoonmaker
Mr. Carroll	Mr. Mann	Mr. Skinner
Mr. Colt	Mr. Miller	Mr. Snyder
Mr. Crolius	Mr. Morgan	Mr. Stanton
Mr. Crook	Mr. Noyes	Mr. Stone
Mr. Dart	Mr. Owen	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to amend the Revised Statutes in relation to courts of special sessions and to regulate the police of the town of Watervliet," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beach	Mr. Fox	Mr. Noyes
Mr. Beekman	Mr. Guinnip	Mr. Owen
Mr. Colt	Mr. Johnson	Mr. Robinson
Mr. Cook	Mr. Mann	Mr. Skinner
Mr. Crook	Mr. Miller	Mr. Stanton

18

## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Curtis	Mr. Williams
Mr. Crolius		

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act making appropriations for the Sing Sing prison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Noyes	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," and after some time spent thereon, Mr. Cross, from said committee, reported progress, and asked for and obtained leave to sit again.

The bill from the Assembly entitled, "An act to authorise the Comptroller to receive the returns of certain unpaid taxes in the county of Wyoming," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Crolius,

The Senate then adjourned until 10 o'clock to-morrow morning.

THURSDAY, FEBRUARY 21, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The journal of yesterday was read and approved.

Messrs. Schoonmaker, Miller, and Brown presented five several petitions of the inhabitants of Ulster, Monroe, Queens, and Suffolk counties for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.



Mr. Geddes presented the petition of the inhabitants of Onondaga county for an appropriation to Genesee college, which was referred to the committee on finance.

Mr. Colt presented two several petitions of inhabitants of Genesee for an appropriation to the Genesee academy, which was referred to the committee on finance.

Mr. Stone presented two several petitions of inhabitants of Madison county for an agricultural professorship in the central college of New York, which was referred to the committee on agriculture.

Mr. Miller presented the remonstrance of inhabitants of Richmondville against the renewal of the charter of the Central bridge company, which was referred to the committee on roads and bridges.

Messrs. Carroll, and Fox presented four several remonstrances of inhabitants of Montgomery and Saratoga county against the proposed bill to regulate, confirm, and define the powers, privileges and purchases of plank road companies, which was referred to a select committee.

Mr. Stanton presented the petition of inhabitants of the village of Seneca Falls for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Johnson presented the petition of Peter Robinson for payment of his claim for damages awarded by the canal appraisers, which was referred to the committee on claims.

Mr. Johnson presented the remonstrance of inhabitants of Washington county against bridging lake Champlain at Rouse point, which was referred to the committee on railroads.

Mr. Johnson presented the petition of inhabitants holding lands by leases under manorial titles for a law to stay the collection of rents until the question of title is decided, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Skinner presented the petition of citizens of Jefferson county for a law authorising the erection of dams near the head waters of the Black and Moose rivers, which was referred to the committee on canals.

Mr. Williams presented the petition of Geo. T. Trumble and others for a law making the health officer of New York a salary office, which was referred to the committee on the judiciary.

Mr. Snyder presented the petition of the trustees of the Baptist society of Pine Plains for authority to mortgage certain property, which was referred to the committee on the judiciary.

Mr. Beekman presented the petition of the Madison university for an appropriation of \$3,000 for the support of the literary department of said institution, which was referred to the committee on finance.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Wm. Logan & company for payment on balance due on contract, on the Champlain canal, reported in writing adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

(*See Doc. No. 67.*)

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Morgan, from the committee on finance, to which was referred so much of the message of the Governor as relates to the finance of the State, reported in writing.

(*See Doc. No. 68.*)

Mr. Geddes moved that five times the usual number of the said report be printed for the use of the Legislature.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported the bill entitled, "An act appropriating money to the Troy hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act to drain the Pecama Fly and Beaver Kill swamp in the county of Ulster passed February 17, 1848."

*Ordered*, That the said bill do have its third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Barryville and Shehola Delaware bridge company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Brown, from the select committee, to which was referred the bill entitled, "An act to establish a free school in district number three in the town of Newtown," to report complete, reported the same complete with amendments, which report was agreed to and the bill ordered engrossed for a third reading.

Mr. Carroll from the select committee, to which was referred the bill entitled, "An act to amend an act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy," to report complete, reported the same complete with amendments, and with the title thereof altered so as to read as follows: "An act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy, and to regulate the proceedings in taking such property for that purpose passed April 6, 1849."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Beekman, from the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act to establish a free school in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

A message was received from the Assembly, informing that they had passed the resolutions of the Senate in relation to "An act to extend a patent heretofore granted to William Woodworth," commonly known as the act extending Woodworth's planing machine, without amendment.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to restrain district attorneys from conducting civil proceeding in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stanton gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Seneca Falls.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act imposing tolls upon freight transported on the N. Y. and Erie railroad" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

On motion of Mr. Schoonmaker,

*Resolved*, That Friday, the 22nd inst. being the anniversary of the birth day of George Washington, and in conformity with long established usage, and to testify the unchanged respect entertained for his memory, the Senate will hold no session that day.

On motion of Mr. Geddes,

*Resolved*, That the act No. 101 for creating a fund for the benefit of the Stockbridge Indians, be made a special order for Saturday next at eleven o'clock A. M.

On motion of Mr. Babcock,

*Resolved*, That the attorney general be requested to report to the Senate his opinion as to the constitutionality of the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," together with the reasons and authorities for such opinion.

Mr. Geddes moved to amend said resolution by striking out all after the word "the" in the first line and insert "bill entitled 'An act for the relief of tenants holding lands under perpetual leases in the State' be referred to the select committee which has heretofore reported it, to report complete."

Debate was had thereon, when

Mr. Geddes withdrew his amendment.

Debate was further had thereon, when

Mr. Brandreth withdrew his said resolution.

Mr. Cross moved that the Senate reconsider its vote designating Friday as the day for the consideration of executive business.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cross then moved that "Friday," be stricken out and "Tuesday" inserted as the day when the Senate will consider executive business.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Stanton,

*Resolved*, That Senate bill No. 59 entitled "An act to amend the charter of the New York orphan asylum society," be referred to the committee of the whole having in charge the bill entitled "An act for the relief of tenants holding lands under perpetual leases in this State."

On motion of Mr. Schoonmaker,

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 112 entitled "An act to amend the charter of the village of Newburgh," and that the same be ordered to be engrossed for a third reading.

On motion of Mr. Curtis,

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 94 entitled "An act to authorise the election of a police justice in the town of Newburgh," and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Curtis, Crolius, and Schoonmaker be such committee.

On motion of Mr. Morgan,

*Resolved*, That Assembly bill No. 9 being "An act to amend the charter of the New-York hospital," be ordered to a third reading.

Leave of absence was granted to Mr. Upham for one week.

On motion of Mr. Miller,

*Resolved*, That the bill to renew the charter of the Central bridge company in Schoharie county be taken from the committee of the whole and referred back to the committee on roads and bridges.

On motion of Mr. Morgan,

*Resolved*, That so much of the memorial of the board of health of the city of New York, as asks for the reenactment of a law passed June 22, 1832 entitled "An act for the preservation of the public health," be referred to the committee on the judiciary to report upon the propriety of granting the prayer of the memorialists.

On motion of Mr. Morgan,

*Resolved*, That Senate bill No. 74 being "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York," be made the special order for Thursday the 28th instant, at 12 o'clock M.

On motion of Mr. Beekman,

*Resolved*, That Senate bill No. 82 being "An act further to amend 'An act establishing free schools throughout the State,' passed

March 26, 1849," be made the special order for Friday, March 1, at 12 o'clock M.

On motion of Mr. Cross,

*Resolved*, That Senate bill No. 73 entitled, "An act to authorize the appointment of commissioners to open Division avenue in the city of Brooklyn, be taken from the committee of the whole and referred to a select committee to report complete.

*Ordered*, That Messrs. Cross, Dimmick, and Snyder be such committee.

On motion of Mr. Mann,

*Resolved*, That the bill from the Assembly entitled "An act in relation to juvenile delinquents" be ordered to a third reading.

The bill entitled, "An act to amend an act to drain the Pecama Fly and Beaver Kill swamp in the county of Ulster passed February 17, 1848," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present at the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Noyes
Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Cross		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend the charter of the society of the New-York hospital," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Noyes
Mr. Beach	Mr. Fox	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Dart	Mr. Morgan	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly with a

message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act in relation to juvenile delinquents" was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act for the relief of tenants holding lands under perpetual leases in this State."

"An act further to amend the charter of the New York orphan asylum society."

And after some time spent on said first mentioned bill, Mr. Curtis, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Curtis, from the same committee, reported in favor of the passage of said second mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to revise and condense into one the several acts relating to the harbor masters of the port of New York."

After some time spent thereon, Mr. Dart, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Cross moved that the committee of the whole be discharged from the further consideration of said bill and that the same be referred to a select committee composed of the Senators from the 2nd, 3d, 4th, 5th, and 6th Senate districts.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the payment of the existing debts and liabilities of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

Mr. Cross moved that said bill be made the special order for Saturday morning at 11 and a half o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

"An act to authorise the mayor and common council of the city of Brooklyn to create a loan for the purpose of completing the city hall, paying for the fences, and ornamenting the grounds," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cross,

*Ordered*, That said bill do have its third reading.

On motion of Mr. Crolius,

The Senate then adjourned until 10 o'clock on Saturday morning.

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## SATURDAY, FEBRUARY 23, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffrey.

The journal of Thursday was read and approved.

Mr. Snyder presented five petitions of inhabitants of Columbia for a speedy termination of the manorial difficulties, which were referred to the committee of the whole having in charge the bill on that subject.

Messrs. Cook, Mann, Johnson and Dimmick, presented four petitions for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Messrs. Cook and Crook presented two remonstrances against bridging lake Champlain at Rouse's Point, which were referred to the committee on railroads.

Messrs. Cook and Fox presented four remonstrances against the amendments to the general plank road law, which were referred to the select committee having in charge the bill on that subject.

Mr. Beekman presented the memorial of B. Skidmore and others praying that certain petitions presented in 1843 in relation to assessments of taxes may have a reference to an appropriate committee, which was laid upon the table.

Mr. Cross presented the petition of inhabitants of Brooklyn for a reduction of the tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Johnson presented the petition of H. B. Meech and others for the passage of a law to finally close the insolvent free banks, which was referred to the committee on banks and insurance companies.

Mr. Carroll presented the petition of inhabitants of Rensselaer

co. for an amendment of the law in relation to sheriffs' fees, which was referred to the committee on the internal affairs of towns and counties.

Mr. Morgan presented the petition of citizens of New-York for a law making the office of health officer of the port of New-York a salaried office, which was referred to the committee on the judiciary.

Mr. Morgan presented the petition of merchants of New-York for the incorporation of the New-York and Virginia steamship co., which was referred to the committee on commerce and navigation.

Mr. Stanton presented the petition of inhabitants of Livingston co. for aid to the Genesee college, which was referred to the committee on finance.

Mr. Tuttle presented the petition of inhabitants of Greene co. for an amendment of the election law in relation to the formation of election districts, which was laid upon the table.

Mr. Geddes presented the petition of 43 inhabitants of this State praying that Gerrit Smith may be heard before the Legislature on the subject of slavery, which was referred to a select committee.

Mr. Morgan, from the committee on finance, to which was referred so much of the Governor's message as relates to the finance of the State, reported a bill entitled, "An act appropriating certain moneys received for premium on loans," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to legalise the acts of Lysander Brown, a justice of the peace of the county of Chautauque," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to restrain district attorneys from conducting proceeding in certain cases," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of the Baptist church of Pine Plains for a law to authorise them to mortgage certain property, reported adverse to the prayer of the petitioners, and offered the following resolution:

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Snyder moved that the said report be laid on the table.



The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the city of Buffalo to issue its bonds in aid of the Buffalo and state line railroad company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the Greenwich savings bank of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Johnson, from the select committee, to which was referred the bill from the Assembly entitled, "An act to provide for the collection of taxes in the city of Albany," to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Curtis, from the select committee to which was referred the bill entitled, "An act to authorise the election of a police justice in the town of Newburgh," to report complete, reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to establish a free school in district No. 3 in the town of Newtown."

*Ordered*, That the said bill do have its third reading.

On motion of Mr. Snyder,

*Resolved*, That the committee of the whole to which was referred Senate bill No. 91 entitled, "An act in relation to the width of highways in the town of Claverack," and Senate bill No. 111 entitled, "An act to amend 'An act to incorporate the Hudson orphan relief association,'" be discharged from the further consideration of the same, and that they be referred to a select committee to report complete.

*Ordered*, That Messrs. Snyder, Miller and Stanton, be such committee.

Leave of absence was granted to Mr. Miller for four days, Mr. Owen for one week, and the Clerk for three days.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act in relation to juvenile delinquents."

*Ordered*, That the Clerk return said bill to the Assembly.

Mr. Crolius gave notice that, on some future day, he will introduce a bill entitled, "An act in relation to inferior courts in the city of New-York."

In pursuance of previous notice,

Mr. Mann asked for and obtained leave to introduce a bill entitled, "An act to submit to the people at the next election the ques-

tion of the repeal of the act establishing free schools throughout the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the engrossed bill from the Assembly entitled, "An act to provide for the speedy disposition of certain suits," be ordered to a third reading.

By consent of the mover said resolution was laid upon the table.

In pursuance of previous notice,

Mr. Stanton asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the village of Seneca Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Cook,

*Resolved*, That the act to prevent the circulation of the notes of banks whose charters have expired and in relation to the duties and powers of the trustees of monied incorporations, be referred to the same committee of the whole having in charge the act in relation to the redemption of bank notes.

On motion of Mr. Williams,

*Resolved*, That Senate bill No. 114, being "An act to explain and extend the powers and duties of the governors of the almshouse in the city and county of New-York," be referred to the committee of the whole having charge of "An act to appropriate money to the society for the reformation of juvenile delinquents in New-York."

On motion of Mr. Cross,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to provide for the payment of the existing debts and liabilities of the city of Brooklyn," and that the same be ordered to a third reading.

The bill from the Assembly entitled, "An act to provide for the payment of the existing debts and liabilities of the city of Brooklyn," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Schoonmaker
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Williams
Mr. Crook	Mr. Morgan	

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to establish a free school in district No. 3 in the town of Newtown," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beach	Mr. Cross	Mr. Skinner
Mr. Brandreth	Mr. Curtis	Mr. Snyder
Mr. Brown	Mr. Dart	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Williams
Mr. Crolius	Mr. Morgan	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the mayor and common council of the city of Brooklyn to create a loan for the purpose of completing the city hall, paying for fences and ornamenting the grounds," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Curtis	Mr. Skinner
Mr. Brown	Mr. Dart	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to the collection of taxes in the city of Albany," coming up for its third reading,

Mr. Carroll moved that said bill be recommitted to the committee of the whole.

Mr. Johnson moved that it be recommitted to the same select committee to report complete.

The President put the question whether the Senate would agree

to said motion of Mr. Carroll, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act for erecting a fund for the benefit of the Stockbridge Indians," and after some time spent thereon, Mr. Stanton, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Babcock moved to lay on the table the order of unfinished business of the preceding day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Geddes moved that the bill from the Assembly entitled, "An act to provide for the speedy disposition of certain suits," be referred to the committee of the whole having in charge "An act for the relief of tenants holding lands under perpetual leases in this State."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of tenants holding lands under perpetual leases in this State."

"An act to provide for the speedy disposition of certain suits."

And after some time spent thereon, Mr. Cross, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Stanton moved that the amendments offered in committee of the whole to said first mentioned bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to extend the act passed April 7, 1827, entitled 'An act to continue in force the act passed 24th February, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,'" which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Geddes,

*Ordered*, That said bill do have its third reading.

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Cook  
Mr. Crolius

Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Mann

Mr. Noyes  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Tuttle

Mr. Crook  
Mr. Cross

Mr. Morgan

Mr. Williams

*Ordered*, That the Clerk return said bill to the Assembly, with message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to allow contracts for loan and forbearance on personal security for short periods," and after some time spent thereon, Mr. Dimmick, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Stanton moved that the bill entitled, "An act to amend the act incorporating the village of Waterloo," be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Stanton, Cross and Dimmick, be such committee.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend 'An act to incorporate the Lewiston suspension bridge company,' passed March 26, 1849," and after some time spent thereon, Mr. Beekman, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise certain powers of sale to be executed by an administrator with the will annexed," and after some time spent thereon, Mr. Cook, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," and after some time spent thereon, Mr. Snyder, from said committee, reported progress, and asked and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the support of the poor in the county of Herkimer," which was read the first time, and by unanimous consent was also read the second time.

Mr. Mann moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Mann, Fox and Colt, be such committee.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the collection of taxes on non-residents and to provide for the sale of lands returned for unpaid taxes in the

counties where they were assessed;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the United States mail steamship company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Stanton,

The Senate then adjourned until 10 o'clock on Monday morning.

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## MONDAY, FEBRUARY 25, 1850.

The Senate met pursuant to adjournment. •

Prayer by the Rev. Mr. Moore.

The journal of Saturday was read and approved.

Mr. Stanton presented the petition of inhabitants of Cayuga county for the abolition of capital punishment, which was referred to the committee on the judiciary.

Messrs. Cook and Fox presented three several remonstrances against the proposed amendments to the general plank road law, which was referred to the select committee having charge of the bill on that subject.

Mr. Cross presented two several petitions of inhabitants of Kings county for a law prohibiting burials in cities, which was referred to the committee on the internal affairs of cities and villages.

Messrs. Crolius and Beekman presented two several petitions of inhabitants of New York for a law to make the health officer of the port of New York a salary office, which was referred to the committee on the judiciary.

Mr. Morgan presented the petition of three assistant physicians of the marine hospital of Staten Island for an investigation of the affairs of said hospital for the last 10 months and in relation to the execution of the law of 1849, which was referred to the committee on commerce and navigation.

Mr. Cross presented the petition of owners of land on Division avenue, Brooklyn, for the appointment of commissioners to open said avenue, which was referred to the select committee having in charge the bill on that subject.

Mr. Cook presented the petition of inhabitants of Saratoga county for the par redemption of Bank notes in New York and Albany, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Babcock presented the petition of members of the bar of Erie county for an amendment of the law establishing the recorder's court in the city of Buffalo, which was referred to the committee on the judiciary.

Mr. Noyes presented the petition of inhabitants of Chenango county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan presented the petition of the New York eye and ear infirmary for the annual appropriation of \$1,000, which was referred to the committee on charitable and religious societies.

The President presented the petition of inhabitants of Chautauque county for an amendment of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the charter of the New York orphan asylum society."

*Ordered*, That said bill do have its third reading.

Mr. Beach, from the committee on public printing, to which was referred the motion to print an extra number of the report of the committee on finance, in relation to the disposition of the premiums received for the sale of State stocks, reported, and offered the following resolution :

*Resolved*, That that two times the usual number of the said report be printed for the use of the Legislature.

The President put the question whether the Senate would agree to the said report, and it was decided in the negative.

Mr. Cook moved that the Senate reconsider its vote on the adoption of said report.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Morgan from the committee on finance to which was referred so much of the Governor's message as relates to finances of the State, reported in writing, and introduced a bill entitled, "An act to provide for a final settlement of the loans of 1792 and 1808 by a transfer to the United States deposit fund," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

(See Doc. No. 68.)

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill to reorganize the board of education relating to common schools in the city of Brooklyn.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to authorize the sale of a piece of land belonging to the State, in the city of Auburn.

Mr. Beach gave notice that he would at an early day ask leave to introduce a bill to amend the charter of the city of Auburn.

In pursuance of previous notice, .

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to extend the lines of certain lots in the city of Buffalo and in the village of Black Rock," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Mr. Johnson gave notice that he would at an early day ask leave to introduce a bill to incorporate the Albany bank for savings.

Mr. Dart gave notice that he would at an early day ask leave to introduce a bill authorising Thomas Denny to construct a dam across the Oswegatchie river in the town of Oswegatchie.

Mr. Beach gave notice that he would at an early day ask leave to introduce a bill authorising the agent of the Auburn State prison to pay a judgment obtained against the State by H. H. Cooley and others.

Mr. Beekman gave notice that he would at an early day ask leave to introduce a bill to amend "An act to incorporate the Manhattanville school in the twelfth ward of the city of New York," passed March 30, 1827.

On motion of Mr. Babcock,

*Resolved*, That the committee of the whole be discharged from the further consideration of the engrossed bill from the Assembly entitled, "An act to provide for the speedy disposition of certain suits," and that the same be ordered to a third reading.

On motion of Mr. Beekman.

*Resolved*, That the memorial of the committee appointed by the meeting held at the Merchants' bank in relation to the tax laws affecting the city of New-York, be taken from the table and referred to the Senators from that city.

On motion of Mr. Johnson,

*Resolved*, That the bill entitled, "An act to provide for the assessment and collection of taxes in the city of Albany," be made the special order for this day at 12 o'clock.

The bill entitled, "An act to amend the charter of the village of Newburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.



The bill entitled, "An act to amend the charter of the New-York orphan asylum society," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Johnson	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act erecting a fund for the benefit of the Stock-bridge Indians," and after some time spent thereon, Mr. Stanton, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on a bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," and after some time spent thereon, Mr. Cross, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," and after some time spent thereon, Mr. Snyder, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the support and education of a limited number of Indian youths of the State of New-York at the State Normal school," and after some time spent thereon, Mr. Curtis, from said committee, reported the bill to the Senate with amendments.

*Ordered*, That said bill do have its third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the State library and the regents of the university," and after some time spent thereon, Mr. Dart, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act imposing tolls on property transported on the Saratoga and Schenectady railroad and the Rensselaer and Saratoga railroad," and after some time spent thereon, Mr. Crolius from said committee reported progress, and asked leave to sit again.

Mr. Cook moved said bill be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act authorising the trustees and associates of the Brooklyn benevolent society to sell a portion of their lands."

"An act granting land under water in the city of Brooklyn to the trustees and associates of the Brooklyn benevolent society for the improvement thereof."

And after some time spent thereon, Mr. Tuttle, from said committee, reported in favor of the passage of the said bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the sale and conveyance of certain real estate belonging to the estate of William W. Wadsworth," and after some time spent thereon, Mr. Schoonmaker, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act passed March 14, 1855 entitled "An act to punish and prevent frauds in the use of false stamps and labels,"" and after some time spent thereon, Mr. Owen, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act authorising certain commissioners to build a bridge across Hoosick river," which was read the first time, and by unanimous consent was also read the second time.

Mr. Carroll moved said bill be ordered to a third reading.

Mr. Cook moved said bill be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the motion of Mr. Cook, and it was decided in the affirmative.

"An act to extend the time for the collection of taxes in the several cities and towns of this State till the first day of April next," which was read the first time, and by unanimous consent was also read the second time, was referred to the committee on the internal affairs of towns and counties.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to provide for the erection of a school house in the town of Rome and to change the site thereof."

*Ordered,* That the Clerk deliver said bill to the Governor.

A message was received from the Assembly requesting the Senate to transmit to that body the papers and documents in relation to the Hahnemann academy.

*Ordered,* That said message be laid on the table.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land at New Utrecht," and after some time spent thereon, Mr. Guinnip, from said committee, reported progress and asked for and obtained leave to sit again.

The special order for the day being the bill from the Assembly entitled, "An act in relation to the collection of taxes in the city of Albany," having been announced,

Mr. Stanton moved that the committee of the whole be discharged from the further consideration of said bill and that it be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal the charter of the Hector and Catharine road and bridge company," and after some time spent thereon, Mr. Mann, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of the Rensselaer and Columbia turnpike road," and after some time spent thereon, Mr. Beach, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to incorporate the Albany city savings institution."

"An act to incorporate the Hudson city savings institution."

After some time spent thereon, Mr. Geddes, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into the committee of the whole on the bill entitled, "An act to amend an act to vest in the board of supervisors certain legislative powers," and after some time spent thereon, Mr. Fox, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act concerning resignations of office," and after some time spent thereon, Mr. Mann, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the court of appeals" and after some time spent thereon, Mr. Stone, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Elizabeth Granger, Warner Granger, and James N. Granger," and after some time spent thereon, Mr. Skinner, from

said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians," after some time spent thereon, Mr. Crolius, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Schoonmaker moved the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the payment of canal damages to Charles W. Woolston, Eratus Hughes, Cicero Collins, Assabel Barber, and Henry Pardee," and after some time spent thereon, Mr. Cross, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Dart moved that the committee of the whole be discharged from the further consideration of the bill entitled, "An act authorising Norris M. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river," and that the same be re-committed to the committee on the internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Brown,

The Senate then adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, FEBRUARY 26, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. Colt presented seven several petitions of inhabitants of Livingston, Steuben and Seneca counties for aid to Geneseo academy, which was referred to the committee on finance.

Messrs. Mann, Stanton, Noyes, and the President, presented five several petitions of inhabitants of Oneida, Seneca, Tompkins, Chenango and Chautauque counties, for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Carroll presented two remonstrances against bridging lake Champlain at Rouse's Point, which were referred to the committee on railroads.

Mr. Stone presented the petition of citizens of the State of New-York for an agricultural professorship in central college, which was referred to the committee on agriculture.

Mr. Carroll presented the petition of inhabitants of Rensselaer co. for a law to prohibit hawking and peddling, which was referred to the committee on manufactures.

Mr. Carroll presented the petition of inhabitants of Troy for a law requiring the city of Troy to issue bonds on account of taxes paid for the Schenectady and Troy railroad, which was referred to committee on the incorporation of cities and villages.

Mr. Crolius presented the petition of managers of the N. Y. Magdalen benevolent society for an act of incorporation, which was referred to the committee on charitable and religious societies.

Mr. Beekman presented the petition of Swiss citizens of New-York for the incorporation of the Swiss benevolent society of the city of New-York, which was referred to the committee on charitable and religious societies.

Mr. Stone presented the petition of citizens of the State of New-York praying that Garret Smith may be heard before the Legislature on the subject of slavery, which was referred to a select committee.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to authorise the election of a police justice in the town of Newburgh."

"An act to authorise certain powers of sale to be executed by administrators with the will annexed."

"An act for the relief of the Rensselaer and Columbia turnpike company."

"An act to amend an act passed May 14, 1845, entitled 'An act to punish and prevent frauds in the use of false stamps and labels.'"

*Ordered*, That said bills do have their third reading.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend an act to incorporate the American female guardian society," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to change the name of Evalena Henley," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Schoonmaker,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Cross, from the select committee, to which was referred the bill entitled, "An act to authorise the appointment of commissioners to open Division avenue, and establish the boundary line be-

tween the city of Brooklyn, village of Williamsburgh and towns of Bushwick and Flatbush," to report complete, reported the same complete with amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

Mr. Snyder from the select committee, to which was referred the bill entitled, "An act in relation to the width of highways in the town of Claverack," to report complete, reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Snyder, from the select committee to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Hudson orphan and relief association,' passed April 21, 1846," to report complete, reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the Manhattanville free school in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill to regulate the opening, widening and improvement of streets and avenues in the city of New-York.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act in relation to bonds to be issued on account of the sinking fund of the Schenectady and Troy railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Brown asked for and obtained leave to introduce a bill entitled, "An act to amend the act to provide for the enrolment of the militia and to encourage the formation of uniform companies excepting the first military division of this State, passed May 13, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice,

Mr. Dart asked for and obtained leave to introduce a bill entitled, "An act to authorise Thomas Denny to dam the Oswegatchie river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Schoonmaker,

*Resolved*, That the committee on literature be instructed to enquire and report upon the expediency of providing each school district library in the State with a copy of the Hon. Henry Barnard's

work on School Architecture, as recommended by the superintendent of common schools.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker offered for the consideration of the Senate, the following resolutions, to wit :

*Resolved*, (if the Assembly concur,) That in the opinion of this Legislature the United States government should make provision by law for the publication of a uniform and authentic edition of the decisions of the United States courts, and a free circulation thereof throughout the several states and territories, in the same manner as has already been adopted for the distribution of the national statutes.

*Resolved*, (if the assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of the Senators and Representatives in Congress from this State.

*Ordered*, That the said resolutions be laid upon the table.

On motion of Mr. Stone,

The Senate proceeded to the consideration of the report of the committee on finance on the bill entitled, "An act to authorise the appraisal and payment of canal damages to Charles Ehle."

Debate was had thereon, when

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The Senate then again resumed the consideration of the report of the committee on finance on the claim of Charles Ehle.

Debate was further had thereon, when

Mr. Dart moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act relative to the general society of mechanics and tradesmen of the city of New-York,' passed April 3, 1811, passed February 18, 1833," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled, "An act in relation to common schools in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to provide for the education of the children of the Onondaga and children of the other Indians residing in this State,' passed April 30, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A message was received from the Assembly, informing that they

had passed, without amendment, the bill entitled, "An act to amend 'An act to drain the Pacama Fly and Beaverkill swamp in the county of Ulster,' passed February 17, 1848."

*Ordered,* That the Clerk deliver said bill to the Governor.

The bill entitled, "An act for the relief of the Rensselaer and Columbia turnpike road," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook		

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the election of a police justice in the town of Newburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook		

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to change the name of Evalena Henley."

*Ordered,* That said bill do have its third reading.

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise certain powers of sale to be executed by an administrator with the will annexed," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams

27

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to provide for the speedy disposition of certain suits," coming up for a third reading.

Mr. Carroll moved that said bill be recommitted to the committee of the whole having in charge the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State,"

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crook	Mr. Johnson	Mr. Stanton
Mr. Curtis	Mr. Noyes	Mr. Stone
Mr. Dart	Mr. Schoonmaker	Mr. Tuttle
Mr. Dimmick		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Colt	Mr. Mann	
Mr. Beekman	Mr. Crolius	Mr. Morgan	
Mr. Brandreth	Mr. Cross	Mr. Owen	
Mr. Brown	Mr. Geddes	Mr. Williams	12

A bill was received from the Assembly for concurrence entitled, "An act granting lands under water in the town of Cortland in the county of Westchester to Frederick Requa," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act in relation to a draw in a bridge at Oak Orchard over Oneida river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act relating to harbor masters at the port of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Senators from the 2d, 3d, 4th, 5th and 6th districts.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of tenants holding lands under perpetual leases in this State."

"An act to provide for the speedy disposition of certain suits."

And after some time spent thereon, Mr. Cross, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Schoonmaker moved that the amendments offered by Mr. Snyder to said first mentioned bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Brandreth,

The Senate then adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 27, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition of inhabitants of the city of New-York for provision for the education of neglected and destitute

children of the State, which was referred to the committee on literature.

Mr. Carroll presented the petition of citizens of Troy for the issue of scrip for taxes on account of the Schenectady and Troy railroad, which was referred to the committee on the internal affairs of cities and villages.

Mr. Colt presented the petition of inhabitants of Nunda, Livingston county, for a law authorising the supervisors, assessors, and town clerk to form said town into a single election district, which was referred to the committee on the judiciary.

Mr. Colt presented three several petitions of inhabitants of Livingston county for aid to the Genesee academy, which was referred to the committee on finance.

Mr. Dart presented two several petitions of inhabitants of Gouverneur and vicinity for an appropriation to Gouverneur Wesleyan seminary, which was referred to the committee on finance.

Mr. Dart presented the affidavit of Hiram H. Bacon in relation to removing a rock in the bed of Indian river, which was referred to the committee on the internal affairs of towns and counties.

Mr. Noyes presented the petition of inhabitants of Chenango county for the repeal of the free school, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorise the sale and conveyance of certain real estate of William W. Wadsworth."

"An act in relation to the width of highways in the town of Claverack."

"An act to amend an act entitled, 'An act to incorporate the Hudson orphan and relief association,' passed April 21, 1846."

"An act concerning resignations of office."

"An act to authorise the appointment of commissioners to open Division avenue and establish the boundary line between the city of Brooklyn, village of Williamsburgh, and town of Bushwick and Flatbush."

"An act to revise and consolidate the laws in relation to the village of Whitehall."

"An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians."

*Ordered*, That the said bills do have their third reading.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act for the incorporation of building and accumulating fund associations," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising certain commissioners to build a bridge across the Hoosick river,"

reported in favor of the passage of the same without amendment.

On motion of Mr. Carroll,

*Ordered*, That said bill do have its third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the several cities and towns in this State till the first day of April next," reported in favor of the passage of the same without amendments.

On motion of Mr. Colt,

*Ordered*, That said bill do have its third reading.

By unanimous consent,

Said bill coming up for a third reading,

Mr. Cook moved that said bill be recommitted to the committee on the internal affairs of towns and counties.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman, from the committee on literature, to which was referred the bill entitled, "An act to amend the charter of the Manhattanville free school in the city of New-York," reported in favor of the passage of same without amendment, which was committed to the committee of the whole.

Mr. Mann, from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to the support of the poor in the county of Herkimer," to report complete, reported the same complete, and recommended that the same be not passed into a law.

Mr. Fox moved said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President laid before the Senate the following communication :

OFFICE OF THE COMMISSIONERS OF EMIGRATION, }  
New-York, February 22, 1850. }

HON. G. W. PATTERSON,

*President of the Senate:*

SIR—I have the honor to enclose to you a communication to the Legislature from the commissioners of emigration in relation to certain amendments of the laws respecting alien passengers referred to at the conclusion of their annual report.

I am sir, with great respect,

G. C. VERPLANCK,  
*President.*

(See Doc. No. 71.)

*Ordered*, That said communication be referred to the committee on commerce and navigation.

Mr. Williams presented the first annual report of the governors of the alms house of New-York, which was referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill

entitled, "An act to regulate the opening, widening, and improvement of streets in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the 3d, 4th, 5th, and 6th districts.

Mr. Williams moved said bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Crolius,

The Senate proceed to the consideration of the bill entitled, "An act to release to the relatives of Emma Hughes, late of London, in England, deceased, the interest of the State of New-York in certain personal property."

The question being on agreeing to the report of the committee of the whole.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Albany bank for savings," which was read the first time, and by unanimous consent was also read the second time.

Mr. Johnson moved that said bill be referred to the committee of the whole.

Mr. Schoonmaker moved that said bill be referred to the committee on banks and insurance companies.

The President put the question whether the Senate would agree to the said motion of Mr. Schoonmaker, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, The committee of finance be discharged from the further consideration of the application of the house of industry of New-York for an appropriation from the State to be devoted to charitable uses, and that the same be referred to the committee on charitable and religious societies.

On motion of Mr. Stanton,

*Resolved*, That the committee on charitable and religious societies be discharged from the further consideration of certain petitions for the passage of a law for the education of neglected and destitute children, and that the same be referred to the committee on literature.

On motion of Mr. Williams,

*Resolved*, That the Assembly bill being, "An act to incorporate the United States mail steamship company," be referred to the committee on the judiciary to report whether the legislature can create corporations of this nature in conformity with the constitution.

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That twice the usual number of copies of the report of

a select committee of copies of the Assembly of 1849, on assessment abuses in the city of New-York, be printed for use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to reorganize and regulate the common schools and board of education of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Geddes moved that the order of third reading of bills be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Geddes,

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act erecting a fund for the benefit of the Stockbridge Indians," and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the several cities and towns of this State till the first of April next," reported in favor of the passage of the same with amendments, and the title amended to read, "An act to extend the collection of taxes."

Mr. Curtis moved to amend the report of the committee by excepting from the operation of said bill the counties of Orange and Sullivan.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll moved to amend the report of the committee by exempting the county of Rensselaer.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carroll moved to amend the report of the committee by striking out all after the enacting clause and insert the first section of the engrossed bill from the Assembly extending the time for the collection of taxes in the town of Wolcott and the city of Syracuse, and to amend the title so as to read "An act to extend the time for the collection of taxes in the town of Bethlehem and Woolcot and the city of Syracuse to the first day of April next."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson moved to amend by inserting the town of Bethlehem.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

entitled, "An act to regulate the opening, widening, and improvement of streets in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the 3d, 4th, 5th, and 6th districts.

Mr. Williams moved said bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Crolius,

The Senate proceed to the consideration of the bill entitled, "An act to release to the relatives of Emma Hughes, late of London, in England, deceased, the interest of the State of New-York in certain personal property."

The question being on agreeing to the report of the committee of the whole.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Albany bank for savings," which was read the first time, and by unanimous consent was also read the second time.

Mr. Johnson moved that said bill be referred to the committee of the whole.

Mr. Schoonmaker moved that said bill be referred to the committee on banks and insurance companies.

The President put the question whether the Senate would agree to the said motion of Mr. Schoonmaker, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, The committee of finance be discharged from the further consideration of the application of the house of industry of New-York for an appropriation from the State to be devoted to charitable uses, and that the same be referred to the committee on charitable and religious societies.

On motion of Mr. Stanton,

*Resolved*, That the committee on charitable and religious societies be discharged from the further consideration of certain petitions for the passage of a law for the education of neglected and destitute children, and that the same be referred to the committee on literature.

On motion of Mr. Williams,

*Resolved*, That the Assembly bill being, "An act to incorporate the United States mail steamship company," be referred to the committee on the judiciary to report whether the legislature can create corporations of this nature in conformity with the constitution.

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That twice the usual number of copies of the report of

a select committee of copies of the Assembly of 1849, on assessment abuses in the city of New-York, be printed for use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to reorganize and regulate the common schools and board of education of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Geddes moved that the order of third reading of bills be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Geddes,

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act erecting a fund for the benefit of the Stockbridge Indians," and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the several cities and towns of this State till the first of April next," reported in favor of the passage of the same with amendments, and the title amended to read, "An act to extend the collection of taxes."

Mr. Curtis moved to amend the report of the committee by excepting from the operation of said bill the counties of Orange and Sullivan.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll moved to amend the report of the committee by exempting the county of Rensselaer.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Carroll moved to amend the report of the committee by striking out all after the enacting clause and insert the first section of the engrossed bill from the Assembly extending the time for the collection of taxes in the town of Wolcott and the city of Syracuse, and to amend the title so as to read "An act to extend the time for the collection of taxes in the town of Bethlehem and Woolcot and the city of Syracuse to the first day of April next."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson moved to amend by inserting the town of Bethlehem.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.



*Ordered*, That said bill be engrossed for a third reading.

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of all the members elected to the Senate being present at the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Johnson
Mr. Brandreth	Mr. Curtis	Mr. Morgan
Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments therewith delivered.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled, as follows :

"An act to amend an act relating to the redemption of bank notes passed May 4, 1840."

"An act to prevent the cirulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations."

And after some time spent on said first mentioned bill, Mr. Carroll, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Cook moved said bills be made the special order for Monday next at 12 o'clock, M.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act for establishing a fund for the benefit of the Stockbridge Indians."

"An act authorising the trustees and associates of the Brooklyn benevolent society to sell a portion of their lands."

"An act granting land under water in the city of Brooklyn to the trustees and associates of the Brooklyn benevolent society for the improvement thereof."

"An act to release to the relatives of Emma Hughes late of London, in England, deceased, the interest of the people of the State of New-York, in certain personal property."

*Ordered*, That said bills do have their third reading.

Mr. Geddes moved that the bill entitled, "An act for establishing a fund for the benefit of the Stockbridge Indians," be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

The Senate then resolved itself into a committee of the whole on said Indian bill, and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill entitled, "An act concerning resignations of office," was read the third time, and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Williams
Mr. Crook	Mr. Morgan	

26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act passed May 14, 1845 entitled, 'An act to punish and prevent frauds in the use of false stamps and labels,'" coming up for a third reading.

Mr. Johnson moved said bill be recommitted to the committee of the whole.

Debate was had thereon, when

Mr. Johnson withdrew his said motion to recommit.

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Miller	

23

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to authorise the appraisal and payment of canal damages to Augustus Morgan," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dimmick	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Crolius	Mr. Geddes	Mr. Snyder
Mr. Crook	Mr. Guinnip	Mr. Stanton
Mr. Cross	Mr. Johnson	Mr. Stone
Mr. Curtis	Mr. Miller	Mr. Tuttle
		18

## FOR THE NEGATIVE.

Mr. Beekman	Mr. Cook	Mr. Morgan
Mr. Colt	Mr. Mann	
		5

*Ordered,* That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to authorise the sale and conveyance of certain real estate belonging to the estate of William W. Wadsworth," was read the third time and passed, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Cross	Mr. Miller	
		26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act for establishing a fund for the benefit of the Stockbridge Indians," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Skinner

Mr. Brown	Mr. Dimmick	Mr. Stanton
Mr. Carroll	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Geddes	Mr. Tuttle
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Crolius	Mr. Mann	23

Ordered, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

On motion of Mr. Cook,  
The Senate then adjourned until 10 o'clock to-morrow morning.

## THURSDAY, FEBRUARY 28, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. Colt presented two several petitions of inhabitants of Monroe and Livingston counties for aid to Genesee academy, which were referred to the committee on finance.

Mr. Carroll presented three petitions of inhabitants of Troy for the issue of scrip by said city on account of taxes for the Troy and Schenectady railroad, which were referred to committee on the incorporation of cities and villages.

Messrs. Noyes and Mann presented two several petitions of inhabitants of Oneida and Chenango counties, for the repeal of the free school law, which were referred to the committee of the whole having in charge the bill on that subject.

Mr. Fox presented the petition of inhabitants of Herkimer co. for the par redemption of bank notes in Albany and New-York, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Crolius presented the petition of inhabitants of New-York for an act licensing steam engineers, which was referred to the committee on manufactures.

Mr. Stone presented the petition of T. F. Carrington for a law to remove certain restrictions in a patent issued to Abram Varick conveying a lot of land in Oswego, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of Stephen A. Dygertt and others for relief from damages sustained by the construction of the Erie canal, which was referred to the committee on claims.

Mr. Stone presented the petition of inhabitants of Madison co. for the establishment of an agricultural professorship in the Central

college of New-York, which was referred to the committee on agriculture.

Mr. Stone presented the petition of inhabitants of Madison co. praying that Garret Smith may be heard before the Legislature of the State on the subject of slavery, which was referred to a select committee.

Mr. Dart presented two remonstrances of inhabitants of Oswegatchie against erecting a dam over Oswegatchie river, which was referred to the committee on commerce and navigation.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of the village of Seneca Falls," reported in favor of the passage of the same without amendment.

Mr. Stanton moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Stanton, Guinnip and Miller, be such committee.

Mr. Carroll, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the village of Ogdensburgh," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to the Schenectady and Troy railroad," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the select committee, to which was referred the bill from the Assembly entitled, "An act relating to harbor masters at the port of New-York," reported in favor of the passage of the same without amendment.

On motion of Mr. Cross,

*Ordered*, That said bill do have its third reading.

Mr. Stanton, from the select committee to which was referred the bill entitled, "An act to amend the act to incorporate the village of Waterloo," to report complete, reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the recorder's court of the city of Buffalo," which

was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to extend the time for the collection of taxes in the several towns and cities in this State until the first of April next," and had made sundry additional amendments thereto, and altered the title so as to read as follows: "An act to extend the time for the collection of taxes in the city of Syracuse, and the towns of Woolcot, Bethlehem and Poughkeepsie, until the first day of April next."

Mr. Johnson moved to amend the amendments of the Assembly so as to make the provisions of the bill applicable to the town of Watervliet.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said amendments of the Assembly, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross  
Mr. Curtis

Mr. Dart  
Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Williams

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto, and made an additional amendment.

A message was received from the Assembly, informing that they had stricken out the enacting clause of the bill entitled, "An act in relation to the location of the New-York and Erie railroad through the counties of Allegany, Cattaraugus and Chautauque."

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act to incorporate the Lewiston suspension bridge company."

*Ordered,* That said bill do have its third reading.

Mr. Miller, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the education of the children of the Onondaga Indians in the county of Onondaga, and the children of the other Indians residing in this State,' passed April 30, 1846," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was

referred the bill entitled, "An act to reorganise and regulate the common schools and board of education of the city of Brooklyn," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act licensing steam engineers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

Mr. Skinner gave notice that he would, at some future day, ask leave to introduce a bill to provide for the payment of damages to the owners of hydraulic privileges on the Black river by reason of the waters of said river being diverted by the State for the use of the Black river and Erie canals.

Mr. Miller gave notice that, at an early day, he would ask leave to introduce a bill to repeal the disqualifications of judges and justices of the courts of general sessions to act in such courts, in cases where the towns in which they severally reside are interested.

On motion of Mr. Dart,

The Senate proceeded to the consideration of the resolution heretofore offered by him, the same having been amended by him to read as follows, to wit:

*Resolved*, That the committee on the militia be, and they are hereby requested, to bring in a bill repealing all existing militia laws except so far as the same may relate to cities or incorporated villages.

Mr. Schoonmaker moved to amend said resolution by adding at the end thereof the words, "and to propose a proper substitute therefor."

The President put the question whether the Senate would agree to said amendment of Mr. Schoonmaker, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. Guinnip offered for the consideration of the Senate, the following resolutions, to wit:

*Resolved*, That the select committee of investigation in relation to the Chemung canal be instructed to inquire and state in their report, whether the work done under the act in relation to the Chemung canal, passed April 10, 1848, has been done in conformity to the provisions and intentions of that act, and whether a plan and estimate of the work was submitted to and approved of by the Canal Board before the work was done, in pursuance of the provisions in sections 17 and 18 of part 1, chap. 9, title 9, of the Revised Statutes, and also that they ascertain the expenses of the work done and to be done, and whether such expenses can, in conformity to the provisions of the constitution, be paid from the canal revenues as ordinary repairs.

*Resolved*, That the Canal Commissioners furnish said committee,

before Monday next, with a copy of the map of the improvement made under said act, showing the height, width, depth and plan of the work done or to be done, and that the auditor of the canal department also furnish, by the time aforesaid, said committee with a certified copy of so much of the map of the Chemung canal as extends from lock number two to the Seneca lake.

Mr. Schoonmaker moved to amend said resolutions by inserting after the words "before Monday next," the words "or as soon thereafter as practicable."

The President put the question whether the Senate would agree to the said amendment of Mr. Schoonmaker, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Fox,

The Senate proceeded to the consideration of the report of the select committee on the bill from the Assembly entitled, "An act in relation to the support of the poor in the county of Herkimer."

The question being on agreeing to said report,

The President put the question whether the Senate would agree to said report, and it was decided in the negative.

Mr. Fox moved that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, Feb. 28, 1850. }*

*To the Legislature:*

I transmit herewith a protest, purporting to be from Peter Wilson, a delegate and representative of the Seneca nation of Indians, against the repeal of the resolutions and law requiring the new form of government among said Indians. The protest is addressed to the Legislature, and is accompanied by several documents which are also herewith transmitted.

HAMILTON FISH.

(See Doc. No. 59.)

*Ordered,* That said communication be laid on the table.

On motion of Mr. Beekman,

*Resolved,* That the act to establish a free school in the town of Westfarms and county of Westchester, be referred to the committee of the whole having charge of the free school law.

On motion of Mr. Williams,

*Resolved,* That the committee on commerce and navigation be discharged from the consideration of "An act to authorise Thomas



Denny to build a dam across Oswegatchie river," and that the same be referred to the committee on the internal affairs of towns and counties.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled as follows :

"An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York."

"An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York."

After some time spent on said bills, Mr. Miller, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Stanton moved that the amendments offered in committee of the whole by him to said bill be printed.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of Scriba in the county of Oswego and all the towns in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Stone,

*Ordered*, That said bill do have its third reading.

Said bill having been amended by unanimous consent, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Williams
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#### FOR THE NEGATIVE.

Mr. Cook	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

A bill was received from the Assembly for concurrence entitled, "An act to enable the commissioners of emigration to borrow money on mortgage in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the salary of the district attorney of the county

of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the free schools of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Miller,

*Ordered*, That said bill do have its third reading.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the surviving trustee of the New-York chemical manufacturing company to sell their real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to extend the time for the collection of taxes in the city of Syracuse and the towns of Woolcot, Bethlehem, Poughkeepsie and Watervliet."

*Ordered*, That the Clerk return said bill to the Assembly.

The bill from the Assembly entitled "An act in relation to the free schools in the city of Rochester," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Schoonmaker
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence entitled, "An act to improve the navigation of the Seneca river at Baldwinsville in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on canals.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act concerning the court of appeals," and after some time spent thereon, Mr. Stone, from said committee, reported in favor of the passage of the same with amendments, which

report was agreed to, and said bill ordered engrossed for a third reading.

It having been ascertained that more than 10 bills were in readiness for a third reading, and in pursuance of the 9th joint rule of the Senate and Assembly,

Mr. Cook moved that the third reading of bills be made the special order for to-morrow at 4 o'clock p. m.

Mr. Schoonmaker moved to amend by striking out 4 o'clock p. m. and insert Saturday at 10 o'clock a. m.

The President put the question whether the Senate would agree to the said motion of Mr. Schoonmaker, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said motion of Mr. Cook, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act in relation to the support of the poor in the county of Herkimer," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dart	Mr. Skinner	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the act to incorporate the village of Waterloo."

*Ordered*, That said bill do have its third reading.

On motion of Mr. Stone,

The Senate then adjourned until 10 o'clock to-morrow morning.

## FRIDAY, MARCH 1, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The journal of yesterday was read and approved.

Mr. Miller presented the petition of William Buel for damages sustained by being deprived of a contract for the construction of the locks at Lockport, which was referred to the committee on claims.

Mr. Colt presented the petition of inhabitants of Arcadia for aid to the Geneseo academy, which was referred to the committee on finance.

Mr. Morgan presented the memorial of the Croton water board of New-York for a law to allow said board to collect payment for water furnished Sing Sing prison, which was referred to the committee on State prisons.

Mr. Guinnip presented the memorial of inhabitants of Chemung county for an enquiry into the reasons for shutting off the water of the Chemung canal, which was referred to a select committee on Chemung canal.

Mr. Cook presented the petition of the Presbyterian congregation of Freehold in the county of Saratoga for a law to allow them to purchase a parsonage with the funds of the church, which was referred to the committee on charitable and religious societies.

Mr. Stone presented the petition of F. T. Carrington and others for the incorporation of the Oswego dry dock and Marine railway company, which was referred to the committee on commerce and navigation.

Mr. Geddes presented the resolution of the electors of Marcellus against the powers now given to boards of supervisors for the erection of public buildings without a vote of the people, which was referred to the committee on the internal affairs of towns and counties.

Mr. Tuttle presented the petition of inhabitants of Delaware county for a law to tax the stock of the Delaware bank in the towns where the same is owned, which was referred to the committee on the internal affairs of towns and counties.

Mr. Crook presented four several remonstrances of inhabitants of Clinton county against bridging lake Champlain at Rouse's Point, which were referred to the committee on railroads.

Mr. Carroll presented two several petitions of citizens of Rensselaer county for relief to tenants on manorial lands, which were referred to the committee of the whole having in charge the bill on that subject.

Mr. Carroll presented two several remonstrances of inhabitants of Troy against imposing tolls on the Rensselaer and Saratoga railroad, which were referred to the committee on finance.

Mr. Babcock, from the committee on the judiciary, to which was

referred the petition of the inhabitants of Nunda for the formation of said town into a single district, reported adverse to the prayer of the petitioners, and offered the following resolution:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to the said report and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to release the restrictions and conditions in a grant made by Setters patent to Abraham Varick," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties to which was referred a bill from the Assembly entitled, "An act in relation to the collection of taxes on lands of non-residents and to provide for the sale of lands returned for unpaid taxes in the counties where they are assessed," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act in relation to common schools in the city of Utica," reported in favor of the passage of the same without amendments, which was committed to the committee of the whole.

Mr. Sninner, from the committee on canals, to which was referred the petition for that purpose, reported a bill entitled, "An act to supply the Black river canal and the Black river with water by damming the lakes at the head of Black, Moose, and Beaver river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to extend the charter of the Schoharie central bridge company," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act concerning the court of appeal."

*Ordered*, That the said bills do have their third reading.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the construction of a railroad from Fishkill landing to the easterly line of the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act for the protection of banks receiving deposits, from married women," which was read the first time, and by unanimous consent was also read the second time, was referred to the committee on banks and insurance companies.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to amend the charter of the Schenectady and Catskill railroad company."

"An act in relation to the trustees of Alfred academy."

"An act to enable the Kingston and Middleton turnpike road company to sell their roadway, rights, and other property."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to extend the time for the collection of taxes in the town of Scriba in the county of Oswego and in all the towns in the county of Westchester."

*Ordered*, That said bill be returned to the Assembly.

Mr. Beekman presented the annual report of the Regents of the University, which was referred to the committee on literature.

Mr. Beekman presented the annual report of the dispensary of the city of New-York.

(See Doc. No. 107.)

In pursuance of previous notice,

Mr. Miller asked for and obtained leave to introduce a bill entitled, "An act to repeal certain disqualifications of judges and justices of the court of general sessions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to authorise the appointment of commissioners to take proof or acknowledgment of deeds and other instruments, and to administer oaths in other States and territories.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Troy hospital," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to amend the several acts relative to the Rensselaer institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Cook moved the House reconsider its vote of making "third reading of bills" the special order for 4 o'clock this afternoon.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cook then moved that the "third reading of bills" be made the special order for to-morrow morning at 11 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Dart,

*Resolved*, That the printer to the Senate be requested to return to the Clerk, the papers of Peter Wilson communicated through his excellency the Governor.

On motion of Mr. Cook,

*Resolved*, That the printer of the Senate be requested to return to the clerk of the Senate the document containing the first annual report of the governors of the alms house.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That nine hundred copies of this report be printed for the use of the Regents of the University.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Stone moved that the committee of the whole be discharged from the further consideration of the bill to pay the claim of W. W. Niles, and that the same be referred to the committee on grievances.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Babcock,

The bill from the Assembly entitled "An act concerning the court of appeals," was read the third time and passed, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Skinner,

*Resolved*, That a message be sent to the Assembly, requesting that body to transmit to the Senate the petition, affidavits and other papers relating to the petition of Norris M. Woodruff to remove rocks in the bed of Indian river.

On motion of Mr. Cross,

*Resolved*, That Senate bill No. 40 entitled, "An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn," be taken from the committee of the whole and referred to the committee on the judiciary, it retaining its place on the general orders.

On motion of Mr. Stanton,

*Resolved*, That the Canal Commissioners be requested to report to this house the condition of the lock at Cayuga bridge, and the arrangements in progress (if any) for its enlargement, and the probable time of its completion ; also a particular description of the con-

templated aqueduct across the outlet of Cayuga lake, its size and estimated cost, the points of termination on each side, and the effect it will have (if built) upon the free navigation of said outlet; also the number of enlarged locks under contract between Montezuma and Geneva, the contemplated width and depth of the canal between those points, and the nature of the works (if any) near Geneva.

Mr. Mann, from the select committee, to which was referred the bill entitled, "An act to regulate, confirm, define and limit the powers, privileges, liabilities and franchises of plank road companies," to report complete, reported the same complete with amendments, and the title altered so as to read "An act to amend the act for the incorporation of plank roads and turnpike roads."

Mr. Cook moved that said report be laid on the table and amendments printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act for the relief of tenants holding lands under perpetual leases in this State."

The bill from the Assembly entitled, "An act for the speedy disposition of certain suits."

And after some time spent on said bill, Mr. Cross, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Geddes moved that the amendments offered in committee of the whole to said bills be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Oliver Barker," and after some time spent thereon, Mr. Snyder, from said committee, reported progress and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Albany city savings institution,"

"An act to incorporate the Hudson city savings institution."

And after some time spent thereon, Mr. Geddes, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Cook moved that the amendments offered in committee of the whole to said bill be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled as follows:

"An act further to amend the act establishing free schools throughout the State, passed March 26, 1849."



"An act to establish a free school in the town of West Farms and county of Westchester."

And after some time spent on said first mentioned bill, Mr. Johnson, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Johnson, from the same committee, reported progress on said second mentioned bill, and asked for leave to sit again.

Mr. Carroll moved that the committee of the whole be discharged from the further consideration of the said bill, and that the same be recommitted to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the national fire insurance company of the city of New-York," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York."

"An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York."

And after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Miller, from the same committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

Mr. Williams moved said bill be made the special order for Wednesday, March 13, at 12 o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Dart,

The Senate then adjourned until 10 o'clock to morrow morning.

## SATURDAY, MARCH 2, 1860.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. Morgan presented the petition of colored persons of the city of New-York for an amendment of the constitution allowing them the right of suffrage without qualification, which was referred to the committee on privileges and elections.

Mr. Dart presented two several affidavits in relation to the removal of rocks from the bed of Indian river, which were referred to the committee on the internal affairs of towns and counties.

Mr. Colt presented the petition of inhabitants of Livingston county for reduction of tolls on foreign salt, which was referred to the committee on the manufacture of foreign salt.

Mr. Colt presented the petition of the officers and managers of the New-York magdalen benevolent society for an act of incorporation, which was referred to the committee on charitable and religious societies.

Mr. Tuttle presented the petition of inhabitants of Schoharie county for amendment of the Revised Statutes in relation to the discontinuing of roads, which was referred to the committee on roads and bridges.

Mr. Noyes presented the petition of inhabitants of Chemung county for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Stanton presented the petition of inhabitants of the State of New-York for a law allowing the N. Y. and Erie railroad to connect with railroads in New Jersey, which was referred to the committee on railroads.

Mr. Tuttle presented the petition of the Gilboa aqueduct company for an amendment of its charter, which was referred to the committee on manufactures.

Mr. Tuttle presented the petition of inhabitants of Delaware county for a law changing the time for holding the courts in said county, which was referred to the committee on the judiciary.

Mr. Brown presented the petition of Mary Ann Skiddy for a law allowing her to hold real estate, which was referred to the committee on the judiciary.

Mr. Cook presented the petition of inhabitants of Rensselaer county for the par redemption of Bank notes in New-York and Albany, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition of the New-York magdalen benevolent association for an act of incorporation, reported adverse

to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Carroll moved said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to extend the lines of certain lots in the city of Buffalo and in the village of Black Rock," reported in favor of the passage of same without amendment, which was committed to the committee of the whole.

Mr. Morgan from the committee on finance to which was referred the bill from the Assembly entitled, "An act to enable the commissioners of emigration to borrow money on bond and mortgage in certain cases," reported in favor of the passage of the same without amendment.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its third reading.

Mr. Beekman, from the committee on literature, to which was referred the bill entitled, "An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State," reported the same for the consideration of the Senate, and was referred to the committee of the whole.

Mr. Carroll, from the committee on literature, to which was referred the bill entitled, "An act to amend the several acts relative to the Rensselaer institute," reported in favor of the passage of the passage of the same, and

On motion of Mr. Carroll,

*Ordered*, That said bill do have its third reading.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act requiring compensation for causing death by wrongful act neglect or default passed April 7, 1849," reported in favor of the passage of the same with amendments, and committed to the committee of the whole.

Mr. Guinnip from the committee on grievances, to which was referred the petition for that purpose, reported in writing and introduced a bill entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 73.)

Mr. Williams, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Oswego dry dock and marine railway company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 1, 1850.*

*To the Senate :*

I transmit herewith a communication from his excellency the Governor of the State of Rhode Island and Providence Plantations, accompanied by resolutions of the General Assembly of that State.

HAMILTON FISH.

EXECUTIVE DEPARTMENT, }  
*Providence, R. I. Feb. 27, 1850.*

To his Ex'cy HAMILTON FISH,  
*Governor of the State of New-York:*

SIR—I have the pleasure to transmit the annexed resolution of the General Assembly of this State, expressing its thanks to the Legislature of New-York for its courtesy and liberality in having caused to be prepared and transmitted to this State a certified copy of the proceedings of a court of commissioners, held at the town of Providence, April 7, 1741, and to request that it be laid before the Senate and House of Assembly of your State.

I am, with great respect,

Your obedient servant,

HENRY B. ANTHONY.

STATE OF RHODE ISLAND AND PRO. PLANT'S, }  
*In Gen'l Assembly, Jan. Session, A. D. 1850.*

*Resolved,* That the thanks of this General Assembly are due, and are hereby respectfully tendered, to the Legislature of the State of New-York, for its courtesy and liberality in having caused to be prepared and transmitted to this State a certified copy of the "Proceedings of a court of commissioners, held at the town of Providence, April 7, 1741, for settling, adjusting and determining the boundaries of the Colony of Rhode Island, eastwards, towards the province of the Massachusetts bay," now on record in the office of the Secretary of State of New-York.

*Resolved,* That his excellency the Governor be authorised to transmit a copy of the preceding resolution to the Governor of the State of New-York, with the request that it be laid before the Senate and House of Assembly of said State.

True copy,—Witness,

CHA'S E. ROBBINS,  
*Sec'y of State.*

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 1, 1850. }*

*To the Senate:*

I have this day approved and signed the following bills :

"An act to amend 'An act to drain the Pacama Fly and Beaver-kill swamp in the county of Ulster,' passed February 17, 1848."

"An act to provide for the erection of a school house in the town of Rome and to change the site thereof."

HAMILTON FISH.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills :

"An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed April 6, 1801."

"An act to authorise the trustees of the village of Plattsburgh to sell or exchange their engine lot."

"An act to release the interest of the State in certain real estate of which Hugh Hamell died seised to Mary Hamell, his widow."

"An act in relation to the court of appeals."

*Ordered,* That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation for the support in part in certain hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to enable the supervisors of the city and county of New-York to raise money by tax," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Comptroller to loan money to the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the holding of courts of sessions without a jury in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act relating to the compensation of brigade inspectors in the city and county of New York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on militia and public defence.

A bill was received from the Assembly for concurrence entitled, "An act to procure a law library for the office of the Attorney Gen-

eral," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on finance.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill authorising the appointment by the Governor of three commissioners to codify the present school laws of the State.

By unanimous consent,

Mr. Brown introduced a bill entitled, "An act to extend the time for the collection of taxes in the town of Hempstead, county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brown,

*Ordered*, That said bill be engrossed for a third reading.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments and to administer oaths in other states and territories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Skinner asked for and obtained leave to introduce a bill entitled, "An act to facilitate the settlement of claims for damages by reason of the diversion of the waters of the Black river and Erie canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Noyes,

*Resolved*, That the bill entitled, "An act to authorise the Butter-nuts and Oxford turnpike company to abandon a part of their road," be referred to a select committee to report complete.

*Ordered*, That Messrs. Noyes, Miller and Mann, be said committee.

On motion of Mr. Johnson,

*Resolved*, That the bill entitled, "An act further to amend the fifth section of the act entitled, 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," be referred to select committee to report complete.

*Ordered*, That Messrs. Johnson, Crolus and Noyes, be said committee.

The bill entitled, "An act to revise and consolidate the laws in relation to the village of Whitehall," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend 'An act to incorporate the Lewiston suspension bridge company,' passed March 26, 1849," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled "An act to provide for the support and education of a limited number of Indian youth in the State normal school," being upon its third reading,

Mr. Mann moved that said bill be recommitted to the committee on literature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act authorising the trustees and associates of the Brooklyn benevolent society to sell a portion of their lands," being upon its third reading.

Mr. Cross moved that said bill be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	• Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to authorise the appointment of commissioners to open Division avenue and establish the boundary line between the city of Brooklyn, village of Williamsburgh, and towns of Bushwick and Flatbush," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act making an appropriation to the society for the reformation of juvenile delinquents in the city of New-York."

*Ordered*, That the said bill do have its third reading.

The bill entitled, "An act in relation to the width of highways in the town of Claverack," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Williams

18



## FOR THE NEGATIVE.

Mr. Babcock  
Mr. Colt

Mr. Cook

Mr. Upham

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the Hudson orphan and relief association,' passed April 21, 1846," was read the third time, and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius

Mr. Crook  
Mr. Dart  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill from the Assembly entitled, "An act authorising certain commissioners to build a bridge across the Hoosick river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Dart  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Colt

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to release to the relatives of Emma Hughes, late of London in England, deceased, the interest of the

people of the State of New-York in certain personal property," was read a third time and lost, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Cook

1

The bill entitled, "An act to amend the charter of the village of Waterloo," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone

Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Tuttle  
Mr. Upham  
Mr. Williams

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to enable the commissioners of emigration to borrow money on bond and mortgage in certain cases," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Dart  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to extend the time for the collection of taxes in the town of Hempstead, county of Queens," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Dart  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act for the relief of tenants holding lands under perpetual leases in this State."

The bill from the Assembly entitled, "An act for the speedy disposition of certain suits."

And after some time spent thereon, Mr. Cross, from said com-

mittee, reported progress on said bills, and asked for and obtained leave to sit again.

By unanimous consent,

Mr. Williams moved that the Senate reconsider its vote on the final passage of the bill entitled, "An act granting to the relatives of Emma Hughes, late of London in England, deceased, the right of the people of the State of New-York in certain personal property."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Leave of absence was granted to Mr. Fox for five days.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Oliver Barker," and after some time spent thereon, Mr. Snyder, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to incorporate the Albany city savings institution,"

"An act to incorporate the Hudson city savings institution."

And after some time spent thereon, Mr. Geddes, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act amending the act establishing free schools throughout the State, passed March 26, 1849," and after some time spent thereon, Mr. Johnson, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act to vest in boards of supervisors certain legislative powers," and after some time spent thereon, Mr. Tuttle, from said committee, reported progress, and asked leave to sit again.

Mr. Colt moved that said bill be referred to the committee on the judiciary to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act authorising the election of a police justice in the town of Newburgh."

The said amendment having been read,

Mr. Cook moved the Senate concur therein.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman

Mr. Cross  
Mr. Geddes

Mr. Skinner  
Mr. Snyder

Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crook

Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Morgan  
Mr. Noyes

Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams 21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A bill was received from the Assembly for concurrence entitled, "An act to organize a separate battalion in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

A bill was received from the Assembly for concurrence entitled, "An act empowering the Deerfield Macadam road to construct a plank sidewalk along the side of their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the city of Buffalo to subscribe to the capital stock of the Buffalo water works company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to change the name of Elizabeth Jackson Landon to that of Elizabeth Landon Jackson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the judiciary.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act establishing a fund for the benefit of the Stockbridge Indians."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the payment of canal damages to Charles W. Woolston, Erastus Hughes, Cicery Collins, Asahel Barber and Henry Pardee," and after some time spent thereon, Mr. Brown, from said committee, reported progress and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal an act providing for the registry of births, deaths, and marriages," and after some time spent thereon, Mr. Skinner, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly informing that they had passed without amendment the bill entitled, "An act authorising the election of a police justice in the town of Newburgh."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Carroll,

The Senate then adjourned until 10 o'clock Monday morning.

MONDAY, MARCH 4, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kingsbury.

The journal of Saturday was read and approved.

Mr. Carroll presented two several petitions of inhabitants of Troy and Lansingburgh for aid to the Troy hospital, which was referred to the committee of the whole having in charge the bill on that subject.

Messrs. Carroll and Cook presented two remonstrances of inhabitants of Troy and Saratoga county against imposing tolls on freight transported on the Troy and Saratoga, and Saratoga and Schenectady rail-roads, which was referred to the committee on finance.

Mr. Crook presented three several remonstrances of inhabitants of Clinton county against bridging lake Champlain at Rouse's Point, which was referred to the committee on railroads.

Messrs. Robinson, Stanton, and Upham presented six several petitions of inhabitants of Wyoming, Seneca, and Genesee counties for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Stanton presented the petition of inhabitants of Chemung county for aid to Genesee college, which was referred to the committee on finance.

Mr. Robinson presented the petition of inhabitants of Wyoming county for an appropriation of \$10,000 to Genesee academy, which was referred to the committee on finance.

Mr. Stanton presented the petition of inhabitants of Lockport praying that Gerrit Smith may be heard on the question of slavery, which was referred to a select committee.

Mr. Robinson presented the proceeding of a meeting of inhabitants of Wappinger's Falls for the exemption of homestead from execution and limitation of the hours of daily labor, which was referred to the committee on the judiciary.

Mr. Cook presented the petition of inhabitants of Saratoga for par redemption of bank notes in New-York and Albany, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Crook presented the petition of inhabitants of the village of Whitehall for the continuance of the present water works in said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Cross presented the petition of inhabitants of Brooklyn for an amendment of the law in relation to police courts in said city, which was referred to the committee on the judiciary.

Mr. Skinner presented the affidavits of Jason Clark in favor of removing rocks from the bed of Indian river at Rossie, which was

referred to the committee on the internal affairs of towns and counties.

Mr. Crolius from a majority of the committee on trade manufactures reported the bill entitled, "An act licensing steam engineers," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act to authorise the surviving trustee of the New-York chemical manufacturing company to sell their real estate," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Upham, from the committee on public printing, to which was referred the motion to print 900 copies of the report of the Regents of the University, reported the following resolution :

*Resolved*, That 900 copies of the said report be printed for the use of the Regents.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition of the officers of the New-York magdalen Benevolent society, reported adverse to the prayer of the petitioners, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to authorise Thomas Dewey to dam the Oswegatchie river," reported adverse to the passage of the same.

Mr. Dart moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhabitants of the Cattaraugus Reservation for a law remodeling the dams on Cattaraugus creek, reported adverse to the prayer of the petitioners and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the petition of supervisors of Ulster county for a law to release the county from the anti-rent expenses, reported adverse to the prayer of the petitioners and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Johnson moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the several acts in relation to the Rensselaer institute."

*Ordered*, That said bill be engrossed for a third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the Revised Statutes in relation to the discontinuance of useless and unnecessary highways," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the select committee to which was referred the bill entitled, "An act to revise and condense into one the several acts relating to the harbor masters of the port of New-York," reported the same complete with amendments, and the title amended to read "An act relating to the harbor masters of the port of New-York."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Johnson, from the select committee to which was referred the bill entitled, "An act further to amend the fifth section of the act entitled, 'An act to reduce the number of town officers, and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," to report complete, reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Colt from a majority of the select committee reported the bill entitled, "An act to amend the law for the assessment and collection of taxes," reported in favor of the passage of the same with amendments for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Cross, from the select committee, to which was referred the bill entitled, "An act to authorise the Butternutts and Oxford turnpike company to abandon a part of their road," to report complete reported the same complete without amendments, which report was agreed to and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act for the improvement of Rackett river and its tributaries," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act declaring Rackett river in the State of New-York a public highway and regulating the passage of lumber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Tuttle moved that the bill, "An act to authorise the Dela-



were plank road company to change the location of their road," be referred to a select committee to report complete.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Tuttle, Dimmick, and Robinson be such committee.

Mr. Cook moved the special order of the day being the bills entitled, "An act to amend an act relating to the redemption of Bank notes passed May 4, 1840."

"An act to prevent the circulation of the notes of banks whose charters have expired and in relation to the duties and powers of the trustees of monied corporations," be postponed until immediately after executive session to-morrow and that the same be made the special order for every day thereafter at 12 o'clock until disposed of.

A division of the question being called for,

The President put the question whether the Senate would agree to said postponement, and it was decided in the affirmative.

The President put the question whether the Senate would agree to so much of said motion as makes said bills the special order for every day hereafter at 12 o'clock until disposed of, and it was decided in the affirmative.

Leave of absence was granted to Mr. Curtis for 8 days.

Mr. Stone moved that the bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," be re-committed to the committee of the whole, and retain its original place on the general orders.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan moved that the Senate proceed to the consideration of the report of the committee on finance on the bill entitled, "An act to authorise the appraisal and payment of canal damages to Charles Ehle."

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

Debate was had thereon, when

Mr. Geddes moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Crolius,

*Resolved*, That the bill from the Assembly entitled, "An act to authorise the New-York chemical manufacturing company, to sell their real estate," be taken from the general orders, and ordered to a third reading.

On motion of Mr. Colt,

*Resolved*. That the Assembly bill No. 135 in relation to the collection of taxes on lands of non-residents, be made the special order for four o'clock this afternoon.

On motion of Mr. Beekman,

*Resolved*, That the Senate bill No. 151, entitled, "An act to amend

the charter of the Manhattanville free school in the city of New-York," be referred to the committee of the whole having charge of the free school law.

The bill from the Assembly entitled, "An act to provide for the assessment and collection of taxes in the city of Albany," having been amended by unanimous consent was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to amend the several acts relating to the Rensselaer institute," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Cross	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the surviving trustee of the New-York chemical manufacturing company to sell their real estate," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Cross	Mr. Robinson

Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Geddes	Mr. Stanton	
Mr. Colt	Mr. Johnson	Mr. Stone	
Mr. Cook	Mr. Miller	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 2, 1850.*

*To the Senate :*

I have this day approved and signed the following bills :

"An act to amend the charter of the Schenectady and Catskill railroad company."

"An act to enable the Kingston and Middletown turnpike road company to sell their roadway, rights, and other property."

"An act relative to the trustees of Alfred academy."

"An act to release the interest of the State in certain real estate of which Hugh Hamell died seised to Mary Hamell his widow."

"An act in relation to the court of appeals."

"An act to authorise the trustees of the village of Plattsburgh to sell or exchange their engine lot."

"An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Waterford,' passed April 6, 1801."

"An act to authorise the election of a police justice in the town of Newburg."

"An act for establishing a fund for the benefit of the Stockbridge Indians."

HAMILTON FISH.

The Senate then resolved itself into a committee of the whole on the following entitled bills :—

"An act for the relief of tenants under perpetual leases in this State."

"An act for the speedy disposition of certain suits."

And after some time spent on said bills, Mr. Cross, from said committee, reported progress, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Upham moved that the bill entitled, "An act authorising the appraisement and payment of canal damages to Jerome B. Ransom," be referred to the same committee of the whole having charge of a bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to provide for the appraisal and payment of canal damages to Oliver Barker."

"An act authorising the appraisal and payment of canal damages to Jerome B. Ransom."

And after some time spent thereon, Mr. Carroll, from said committee, reported progress and asked for and obtained leave to sit again.

Mr. Dart moved that the bill entitled, "An act to amend an act to provide for the education of the children of the Onondaga Indians in the county of Onondaga, and of the children of the other Indians residing in this State passed April 30, 1846," be referred to the same committee of the whole having in charge the bill for the incorporation of savings banks.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act for the incorporation of the Albany city savings institution."

"An act for the incorporation of the Hudson city savings institution."

The bill from the Assembly entitled "An act for the education of the Onondaga Indians in the county of Onondaga and for the children of the other Indians residing in this State passed April 30, 1846."

And after some time spent thereon, Mr. Geddes, from said committee, reported progress on the two first mentioned bills, and asked for and obtained leave to sit again.

Mr. Geddes, from said committee, reported in favor of the passage of said third mentioned bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Dart from the committee on railroads, to which was referred the bill entitled, "An act to authorise the Williamsport and Elmira railroad company incorporated by the State of Pennsylvania, to construct a portion of their road in this State," reported in favor of the passage of the same without amendments, which was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the payment of canal damages to Charles W. Woolston, Erastus Hughes, Cicero Collins, Asahel Barber and Henry Pardee."

"An act making the village of Morrisville a separate road district,"

And after some time spent thereon, Mr. Brown, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Brown, from same committee, reported in favor of the passage of said last mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

The Senate then resolved itself into a committee of the whole on the following bills:

"An act making an appropriation for the relief of the Brooklyn orphan asylum."

"An act appropriating money for the Troy hospital."

And after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of said first mentioned bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Miller, from the same committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

A message was received from the Assembly informing that they had passed without amendment the bill entitled, "An act to extend the time for the collection of taxes in the town of Hempstead."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to authorise the surviving trustee of the New-York chemical manufacturing company to sell their real estate."

*Ordered*, That said bill be returned to the Assembly.

On motion of Mr. Cook,

The Senate then adjourned until 10 o'clock to-morrow morning.

## TUESDAY, MARCH 5, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noble.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of directors of the Seneca road company for a law allowing them to sell a portion of their road, which was referred to the committee on roads and bridges.

Mr. Crook presented two remonstrances of inhabitants of Clinton co. against bridging lake Champlain at Rouse's Point, which were referred to the committee on railroads.

Mr. Colt presented the petition of inhabitants of Livingston co. for aid to Geneseo academy, which was referred to the committee on finance.

Mr. Stone presented four petitions of inhabitants of Cortland and Tioga counties for an appropriation for an agricultural professorship at Central college, which were referred to the committee on agriculture.

Mr. Tuttle presented the remonstrance of inhabitants of Schoharie co. against the renewal of the charter of the central bridge company, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act to procure a law library for the office of the Attorney General," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act to authorise the Comptroller to loan money to the county of Jefferson," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to authorise Norris M. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition of inhabitants of the village of Whitehall in relation to the water works in said village, reported, and asked to be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said report and it was decided in the affirmative.

Mr. Cook moved that said petition be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act for the protection of banks receiving deposits from married women," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable the Seneca road company to sell parts of their road to plank road companies and to abandon some parts of their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend the fifth section of the act entitled, 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845."

"An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road."

"An act relating to harbor masters of the port of New-York."

*Ordered*, That said bills do have their third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising Mary Ann Skiddy to hold real estate," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on public printing, to which was referred the motion to print an extra number of the report of the select committee of the last Assembly on assessment abuses, reported the following resolution:

*Resolved*, That twice the usual number of said report be printed for the use of the Senate.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Cook, from the minority of the select committee, to which was referred the bill entitled, "An act to amend the laws in relation to the assessment and collection of taxes," reported a bill entitled, "An act in relation to the powers and duties of assessors," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cook,

Said bill was referred to the committee of the whole on the bill entitled, "An act to amend the laws in relation to the assessment and collection of taxes."

On motion of Mr. Mann,

The Senate proceeded to the consideration of the report of the select committee on the bill from the Assembly entitled, "An act to regulate, confirm and limit the powers, privileges and franchises of plank road companies," as follows:

*The People of the State of New-York, represented in Senate and Assembly, do enact as follows:*

§ 1. Every company formed or organised under the act entitled, "An act for the incorporation of companies to construct plank roads and of companies to construct turnpike roads," passed May 7, 1847, and the several acts amending the same, shall be deemed to be a valid corporation, although such company may not have complied with the requirements of such acts in the formation and organisation of such company; and no act or omission on the part of any such company, or of its stockholders or officers, shall work a forfeiture of its corporate powers or franchises, unless the same was wilful or

malicious ; but this section shall not affect or impair any right of action which has heretofore accrued to any person or persons against such company, its officers or agents, for entering upon or taking possession of any real estate, or any right of action now existing, arising on contract ; or any right of action against any company or its officers, for a misapplication of its funds ; or any action now pending to forfeit or annul the corporate powers or franchises of any such company, or any action pending to recover toll, or to recover any penalty for passing a gate without paying toll.

§ 2. Section five of the act entitled, "An act in relation to plank roads and turnpike roads," passed April 6, 1849, is repealed, and the following substituted in lieu thereof :

§ 5. Sections fifty-four and fifty-five of title first, chapter eighteen of part first of the Revised Statutes, shall apply to all companies formed under the before mentioned act, passed May 7, 1847, so far as the same can be applied or are not inconsistent with this act.

§ 3. No action to recover any penalty against any company formed under an act entitled, "An act for the incorporation of companies to construct plank roads and of companies to construct turnpike roads," and the acts amending the same, shall be commenced or maintained against such company or any of its officers or agents unless the same is commenced within thirty days after the penalty was incurred.

§ 4. The second section of "An act in relation to plank roads and turnpike roads," passed April 6, 1849, is amended by adding thereto the following, to be the eighth subdivision of said section :

8. All persons residing within three miles of any grist mill or blacksmith's shop, where they ordinarily get their grinding or blacksmith's work done, shall be exempt from the payment of toll on any plank road, in going to and returning from such mill or shop for the express purpose of getting grinding or blacksmith's work done

§ 5. No supervisor or commissioner of highways of any town, shall make any agreement with any plank road company or turnpike road company under the first section of "An act in relation to plank road and turnpike road companies," passed November 24, 1847, for the right to take and use any part of any public highway for a plank road or a turnpike road, without they first obtain the consent in writing of at least two-thirds of all the owners of land along such highway, who actually reside on that part of the highway on which such plank road or turnpike road is to be constructed.

§ 6. No plank road or turnpike road shall hereafter be constructed of less than ten miles in length, without the same is authorised by the board of supervisors of the county in which it is located.

§ 7. This act shall take effect immediately.

Mr. Mann moved to amend said report by striking out of the first section in the 15th and 16th lines, the words "or any action now pending to forfeit or annul the corporate powers or franchises of any such company."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.



Mr. Stanton moved to amend said report by inserting in the first line of the first section after the word "company," the word "heretofore."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved to amend said report by inserting in the third section, fourth line, after the word "same," the words "or against any turnpike corporation."

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

Mr. Cook moved to amend said report by striking out of the 4th section 4th line, the words "residing within three miles of," and inserting the words "going to or returning from."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann moved to amend said report by striking out of the 4th section 6th line, after the word "toll," the words "on any plank road in," and inserting the words "at one gate only within five miles of such person's residence when he."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann moved further to amend said fourth section by inserting at the end thereof the words, "but this exemption shall apply only to such parts of a plank road as have been or shall be made on a public traveled highway, not heretofore a turnpike."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes moved to amend said report by striking out the fourth section.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Beekman  
Mr. Brown

Mr. Crolius  
Mr. Cross  
Mr. Geddes

Mr. Miller  
Mr. Skinner

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#### FOR THE NEGATIVE.

Mr. Babcock  
Mr. Colt  
Mr. Cook  
Mr. Crook  
Mr. Dart

Mr. Dimmick  
Mr. Johnson  
Mr. Mann  
Mr. Robinson  
Mr. Schoonmaker

Mr. Snyder  
Mr. Stanton  
Mr. Tuttle  
Mr. Upham

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Mr. Mann moved further to amend said report, by inserting at the end of the first line of section six the words, "by any company heretofore organised," and by adding at the end of said section the words, "and no plank road or turnpike road company shall hereafter erect or put up any hoist-gate on their roads."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann moved further to amend said report, by striking out from the sixth section, in the first three lines, the words "no plank road or turnpike road shall hereafter be constructed of less than ten miles in length, without the same is authorised by the board of supervisors of the county in which it is located."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Tuttle, from the select committee, to which was referred the bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road," to report complete, reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 4, 1850. }*

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to extend the time for the collection of taxes in the town of Hempstead."

HAMILTON FISH.

A bill was received from the Assembly for concurrence entitled, "An act to alter, open and extend certain highways from the city of Albany into the town of Watervliet in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Dart gave notice that he would, at an early day, ask leave to introduce a bill authorising county treasurers, in certain cases, to extend the time for the collection of taxes.

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That if the payment of damages to Charles Ehle is authorised by law, such amount as may be awarded for that which occurred on the 16th day of May, and the 9th day of December, 1844, be paid from a fund created or to be created by virtue of an act passed April 5, 1849, being "An act in relation to debts due for damages on the canals prior to June 1, 1846," and for such amount as may be awarded for an alleged breach in the banks of the canal

in the fall of the year 1847, from a fund to be created by law under and by virtue of the authority contained in the tenth section of the seventh article of the constitution.

Debate was had thereon, when

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of Executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to amend an act in relation to the redemption of bank notes," passed May 4, 1840."

"An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations."

And after some time spent thereon, Mr. Crook, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of county taxes in the city of Oswego and for the appointment of a collector in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Stone,

*Ordered*, That said bill do have its third reading.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under an act for the appraisement of his damages, passed December 14, 1847."

Said amendments having been read,

The President put the question whether the Senate would agree

to the said amendments of the Assembly, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Crolius	Mr. Dimmick	Mr. Stanton
Mr. Crook		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Johnson	Mr. Robinson
Mr. Beach	Mr. Mann	Mr. Schoonmaker
Mr. Colt	Mr. Miller	Mr. Snyder
Mr. Geddes	Mr. Morgan	Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur in their amendments thereto.

On motion of Mr. Skinner,

*Resolved*, That the bill to authorise Norris M. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river, be referred to the same committee of the whole having in charge the bill in respect to savings banks.

The President laid before the Senate the following communication :

*Albany, March 5, 1850.*

TO THE HON. PRESIDENT AND MEMBERS OF THE SENATE :

The peace convention now in session in this city, have instructed the business committee to invite your attendance this afternoon and evening, and to participate in its deliberations.

P. M. WAY, *Cl'k.*

On motion of Mr. Babcock,

The Senate proceeded to the consideration of the report of the committee on the judiciary on the petition of the Baptist society of the town of Pine Plains for a law to allow them to mortgage certain property.

The President put the question whether the Senate would agree to said report, and it was decided in the negative.

On motion of Mr. Cross,

*Resolved*, That the Senate bill No. 139, entitled "An act to re-organise and regulate the common schools, and the board of education in the city of Brooklyn," be taken from the committee of the whole, and referred to a select committee to report complete.

*Ordered*, That Mr. Cross, Mr. Beekman, and Mr. Mann, be such committee.

On motion of Mr. Beekman,

*Resolved*, That Senate bill No. 132, being "An act to regulate

the opening, widening and improvement of streets and avenues in the city of New-York," be referred to the Senators from the 3d, 4th, 5th, and 6th districts, to report complete.

On motion of Mr. Johnson,

*Resolved*, That a respectful message be transmitted to Assembly, requesting them to transmit to the Senate the petition and accompanying document, of George Kinsella for relief, and when received the same be referred to the committee on claims.

Leave of absence was granted to Mr. Williams for 8 days.

On motion of Mr. Colt,

The Senate then adjourned until 10 o'clock to-morrow morning.

### WEDNESDAY, MARCH 6, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kingsbury.

The journal of yesterday was read and approved.

Messrs. Colt, Schoonmaker, and Mann presented four several petitions of inhabitants of Livingston, Saratoga, Ulster, and Oneida counties for repeal of the school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Miller presented the memorial of Joshua Reed relative to the claim of Charles W. Woolston and others for canal damages, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Johnson presented the petition of Durant Lathrop & Company and other vessel owners navigating the Hudson river for an additional harbor master at Albany, which was referred to the committee on commerce and navigation.

Mr. Beach presented three several petitions of Oliver P. Buck and others inhabitants of Cayuga county for a law to change the name of Oliver P. Buck, which was referred to the committee on the judiciary.

Mr. Schoonmaker presented three several petitions of inhabitants of the village of Rondout and Kingston for a law legalizing the acts of the board of health of said village in the year 1849, which was referred to the committee on the judiciary.

Mr. Brown presented the petition of inhabitants of Huntington, Islip, and Smithtown for the repeal of the act of April 7, 1849, for the protection of wood lands in Suffolk county, so far as the same relates to said towns, which was referred to the committee on the judiciary.

Messrs. Crook, and Cook presented two several memorial of E. H. Rosecrans and inhabitants of Warren county for the improvement of Rackett river, which was referred to the committee on finance.

Mr. Cook, from the committee on banks and insurance companies, to which was referred a bill from the Assembly entitled, "An act to amend the charter of the National fire insurance company of the city of New-York," reported in favor of the passage of the same with amendments.

On motion of Mr. Cook,

*Ordered*, That said bill be referred to a select committee to report complete.

*Ordered*, That Messrs. Cook, Crolius, and Tuttle be such select committee.

Mr. Schoonmaker, from a majority of the committee on claims, to which was referred the petition of Fitzsimons and Brady for pay for work done on the Erie canal, reported in writing adverse to the prayer of the petitioners and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 77.)

Mr. Schoonmaker moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to change the name of Elizabeth Jackson Langdon to that of Elizabeth Langdon Jackson," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Stephen C. Jackson and others for a law to confine their title to certain property in the seventh ward of the city of Brooklyn and for the partition thereof, reported adverse to the prayer of the petitioners and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Babcock, from a majority on the committee on the judiciary, to which was referred the bill entitled "An act to repeal certain disqualifications of judges and justices of courts of general sessions," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of inhabitants of Delaware county for a law to change the time for holding the courts in said county, reported ad-

verse the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President then put the question whether the Senate would agree to said resolution and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which referred the petition of the citizens of Brooklyn for an amendment to the law relating to police courts in said city, reported adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to authorise the city of Buffalo to subscribe to the capital stock of the Buffalo water works company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker from a majority of the committee on claims, to which was referred the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," reported in writing the bill for the consideration of the Senate, which was committed to the committee of the whole, retaining its original place on the general orders.

Mr. Stone, from the select committee, to which was referred the petition of sundry inhabitants, praying that Gerrit Smith might be heard before the Legislature on the subject of the unconstitutionality of Slavery, ask leave to submit the following preamble and resolution:

*Whereas*, The other branch of the Legislature has tendered to Gerrit Smith, Esq. the use of the Assembly chamber on the evenings of the 11th and 12th instant, for the purpose of discussing the anti-slavery character of the federal constitution, by which the prayer of the foregoing petitioners is answered, therefore

*Resolved*, That the committee be discharged from the further consideration of said petitions.

Mr. Stanton, from the select committee to which was referred the bill entitled, "An act amending the charter of the village of Seneca Falls," to report complete, reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Stanton moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to create the Croton aqueduct department in the city of New-York,' passed April 11, 1849,"

which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Buffalo hospital," which was read the first time and by unanimous consent was also read a second time, and committed to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the Roman Catholic orphan asylum in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the creditors of the Lockport and Niagara Falls railroad company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of John J. Ross," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of St. Vincent's orphan asylum in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the sale of certain out blocks in the city of Oswego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Charles G. Taylor and Henry A. Taylor to establish and continue a ferry across the Hudson river from Sing Sing to the opposite shore in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act to incorporate the village of Rondout,' passed April 4, 1849," which was read the first time, and by unanimous consent was also a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to provide for the better repairing certain roads in the town of Coeymans,' passed December 14, 1847," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on roads and bridges.



A bill was received from the Assembly for concurrence entitled, "An act declaring the Moose river and its tributaries in the State of New-York a public highway and regulating the passage of lumber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act relative to the location of a gate on the Lockport and Warren's Corners plank road," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to certain duties of commissioners of loans in the county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to amend the charter of Canandaigua and Corning railroad company."

"An act to amend 'An act to incorporate the Lewiston suspension bridge company,' passed March 26, 1849.

*Ordered*, That the Clerk deliver said bills to the Governor.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to authorise the sale of land belonging to the State in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the village of Auburn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the incorporation of cities and villages.

Mr. Geddes moved the Senate reconsider its vote, non-concurring in the amendments of the Assembly, to the bill, entitled "An act for the payment to Asa Baxter, of the amount of his damages, appraised by commissioners appointed under an act for the appraisalment of his damages, passed December 14, 1847."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	

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**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Cook	Mr. Robinson
Mr. Beekman	Mr. Johnson	Mr. Schoonmaker
Mr. Carroll	Mr. Morgan	Mr. Snyder
Mr. Colt		

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The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Cross		

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**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Colt	Mr. Morgan
Mr. Beach	Mr. Cook	Mr. Robinson
Mr. Beekman	Mr. Johnson	Mr. Schoonmaker
Mr. Carroll	Mr. Mann	Mr. Snyder

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur in the said amendment.

On motion of Mr. Babcock,

*Resolved*, That Senate bill, No. 136, being "An act to provide for the settlement of the accounts of testamentary trustees," and Senate bill, No. 137, being "An act to restrain district attorneys from conducting civil proceedings in certain cases," be taken from the general orders, and referred to the judiciary committee to report complete.

On motion of Mr. Robinson,

*Resolved*, That Senate bill, No. 164, authorizing the Williamsport and Elmira Railroad Company, to construct part of their road in this State, be referred to a select committee to report complete.

*Ordered*, That Mr. Robinson, Mr. Geddes, and Mr. Brandreth, be said committee.

On motion of Mr. Morgan,

*Resolved*, That the committee on grievances be discharged from the further consideration of Senate bill, No. 20, being "An act to settle and pay the claim of W. W. Niles, for the destruction of his property on the Long Island Farms," and that the same be referred to a select committee.

*Ordered*, That Mr. Mann, Mr. Crolius, and Mr. Stanton, be such committee.

On motion of Mr. Schoonmaker,

*Resolved*, That Senate bill No. 163, entitled, "An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other states and territories," be taken from the general orders and referred to the committee on the judiciary to report complete.

On motion of Mr. Morgan,

*Resolved*, That Senate bill No. 135, being "An act appropriating certain moneys received for premiums on loans," also Senate bill No. 147, being "An act to provide for a final settlement of the loans of 1792 and 1808, by a transfer to the United States Deposit Fund," be made the special order for Monday next at 12 o'clock.

On motion of Mr. Schoonmaker,

The Senate then proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

*Resolved*, (if the Assembly concur,) That in the opinion of this Legislature the United States government should make provision by law for the publication of a uniform and authentic edition of the decisions of the United States courts, and a free circulation thereof throughout the several states and territories, in the same manner as has already been adopted for the distribution of the national statutes.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of the Senators and Representatives in Congress from this State.

The President put the question whether the Senate would agree to the said resolutions, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled as follows :

"An act to amend 'An act relating to the redemption of bank notes,' passed May 4, 1840."

"An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations."

And after some time spent on said bills, Mr. Crook, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Snyder offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*. That five times the usual number of the report of the

committee on claims upon the petition of the Syracuse coarse salt company, be printed for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

The bill entitled, "An act relating to harbor masters of the port of New-York," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Noyes	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Miller moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act to regulate, confirm and define the powers, privileges, duties and franchises of plank road companies," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius		

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FOR THE NEGATIVE.

Mr. Miller 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

Mr. Noyes moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Leave of absence was granted to Mr. Colt for six days.

The bill from the Assembly entitled, "An act to amend 'An act to provide for the education of the children of the Onondaga Indians in the county of Onondaga, and the children of the other Indians residing in this State,' passed April 30, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act making an appropriation for the relief of the Brooklyn orphan asylum," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act making the village of Morrisville a separate road district," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Morgan
Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Brandreth moved that the Senate adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill entitled, "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Crolius,

The Senate then adjourned until 10 o'clock to-morrow morning.

## THURSDAY, MARCH 7, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noble.

The journal of yesterday was read and approved.

Mr. Carroll presented the remonstrance of the mayor of Troy against issuing scrip on account of the Schenectady and Troy railroad, which was referred to the committee of the whole.

Mr. Dart presented the petition of inhabitants of Gouverneur for aid to the Gouverneur Wesleyan seminary, which was referred to the committee on finance.

Mr. Fox presented the petition of the trustees of the village of Herkimer for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Johnson presented the petition of Volney Freeman for an amendment of the charter of the Freeman bridge company, which was referred to the committee on road and bridges.

Mr. Cross presented the resolution of citizens of Brooklyn for a law to authorise the charter of said city to be submitted to the people, which was referred to the committee on the incorporation of cities and villages.

Mr. Cook presented the petition of inhabitants of Saratoga county for the par redemption of bank notes in New-York or Albany, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Cross presented the petition of Charles Kelsey for a law granting him land under water in front of his land in the city of Brooklyn, which was referred to the committee on commerce and navigation.

Mr. Babcock presented the remonstrance of inhabitants of Buffalo against any appropriation to the Buffalo hospital of the "sisters of charity," which was referred to the committee on finance.

Mr. Babcock presented two several petitions of inhabitants of the city of Buffalo for a law authorising the city to obtain a supply of water and against issuing bonds in aid of the Buffalo water works company, which was referred to the committee on the incorporation of cities and villages.

Mr. Babcock presented the petition of inhabitants of Buffalo for a law authorising the city of Buffalo to obtain a sufficient supply of water, which was referred to the committee on the incorporation of cities and villages.

Mr. Morgan from the committee on finance to which was referred the bill from the Assembly entitled, "An act declaring the Moose river and its tributaries in the State of New-York a public highway and regulating the passage of lumber down the same," also the bill from the Assembly entitled, "An act declaring Rackett river in the State of New-York a public highway and regulating the passage of lumber down the same," reported said bills for the consideration of the Senate, and referred to the committee of the whole.

Mr. Dimmick, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act in relation to certain duties of commissioners of loans in the county of Fulton," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of the city of Auburn," reported, and asked to be dis-

charged from the further consideration of said bill, and that the same be referred to the committee on literature.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to provide for the support of a limited number of Indian youth of the State of New-York at the State Normal school," reported in favor of the passage of the same without amendment.

On motion of Mr. Beekman,

*Ordered*, That said bill do have its third reading.

Mr. Beekman from the committee on literature, to which was referred the bill entitled, "An act to establish a free school in the town of West Farms and county of Westchester," reported in favor of the passage of the same with amendment, which was committed to the committee of the whole having charge of the free school bill.

Mr. Crolius from the committee on militia and public defence, to which was referred the bill from the Assembly entitled, "An act relating to the compensation of brigade inspectors in the city and county of New-York," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of William G. Barnhart for compensation for the loss of an island in the river St. Lawrence called Barnhart's island, reported and asked to be discharged from the further consideration of thereof.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road."

*Ordered*, That said bill do have its third reading.

Mr. Robinson, from the select committee to which was referred the bill entitled, "An act to authorise the Williamsport and Elmira railroad company, incorporated by the State of Pennsylvania to construct a portion of their road in this State," to report complete, reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Cook, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend the charter of the National fire insurance company of the city of New-York," to report complete, reported the same complete without amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to restrain district attorneys from conducting civil proceedings in certain cases," to report complete, reported the same complete with amendments, which report was agreed to, and said bill ordered to be engrossed for a third reading.



Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the appointment of commissioners to take the proof and acknowledgement of deeds and other instruments and to administer oaths in other States and territories," to report complete, reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to provide for the settlement of the accounts of testamentary trustees," to report complete, reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Cross, from the select committee, to which was referred the bill entitled, "An act to reorganise and regulate the common schools and the board of education in the city of Brooklyn," to report complete, reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Johnson laid before the Senate the report of the Schenectady savings bank, which was referred to the committee on banks and insurance companies.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill relative to Freeman's bridge company in the county of Schenectady.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 122 entitled "An act to incorporate the New-York hotel company," and that the same be referred to the standing committee on public buildings to report complete.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

The bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beach  
Mr. Beekman  
Mr. Brandreth  
Mr. Brown

Mr. Crook  
Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes

Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton

M. Carroll	Mr. Johnson	Mr. Stone	23
M. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Morgan		

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to release to the relatives of Emma Hughes, late of London, in England, deceased, the right of the people of this State of New-York in certain personal property," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker	24
Mr. Beekman	Mr. Dart	Mr. Skinner	
Mr. Brandreth	Mr. Dimmick	Mr. Snyder	
Mr. Brown	Mr. Fox	Mr. Stanton	
Mr. Carroll	Mr. Geddes	Mr. Stone	
Mr. Cook	Mr. Johnson	Mr. Tuttle	
Mr. Crolius	Mr. Mann	Mr. Upham	
Mr. Crook	Mr. Robinson		

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend the charter of the National insurance company of the city of New-York," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Fox	Mr. Snyder	20
Mr. Cook	Mr. Geddes	Mr. Stanton	
Mr. Crolius	Mr. Johnson	Mr. Stone	
Mr. Crook	Mr. Morgan	Mr. Tuttle	
Mr. Cross	Mr. Robinson	Mr. Upham	
Mr. Dart	Mr. Schoonmaker	Mr. Williams	
Mr. Dimmick	Mr. Skinner		

## FOR THE NEGATIVE.

Mr. Babcock	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to provide for the education of a limited number of Indian youth of the State of New-York at the State Norraal school," was read the third time and

passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to alter, open, and extend certain highways from the city of Albany into the town of Watervliet in the county of Albany," reported in favor of the passage of the same without amendments.

On motion of Mr. Miller,

*Ordered*, That said bill be referred to a select committee to report complete.

*Ordered*, That Messrs. Johnson, Morgan, and Crook be such select committee.

Mr. Johnson move to lay on the table the order of unfinished business of the preceding day.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to amend 'An act relating to the redemption of bank notes,' passed May 4, 1840."

"An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations."

And after some time spent thereon, Mr. Crook, from said committee, reported progress on said first mentioned bill and asked for and obtained leave to sit again.

Mr. Crook, from same committee, reported in favor of the passage of said last mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act for the relief of tenants holding lands under perpetual leases in this State."

"An act to provide for the speedy disposition of certain suits."

And after some time spent thereon, Mr. Cross, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had receded from their amendment to the bill entitled, "An act for the payment to Asa Baxter of the amount of his damages appraised by commissioners appointed under an act for the appraisement of his damages, passed December 14, 1847," and have passed the same without amendment.

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to amend the charter of the National fire insurance company of the city of New-York"

*Ordered*, That said bill be returned to the Assembly.

On motion of Mr. Dart,

The Senate then adjourned until 10 o'clock to-morrow morning.

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## FRIDAY, MARCH 8, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kingsbury.

The journal of yesterday was read and approved.

Mr. Johnson presented two petitions of persons navigating the Hudson river and the canals of this State for the repeal of the law authorising double wharfage on the canal basin at Albany, which were referred to the committee on commerce and navigation.

Mr. Mann presented the remonstrance of John Townsend and others against reducing the wharfage allowed to be charged on the Albany basin, which was referred to the committee on commerce and navigation.

Mr. Stanton presented two petitions of inhabitants of this State for the repeal of all laws to obstruct the transit of freight &c. from the N. Y. and Erie railroad through New Jersey, which were referred to the committee on railroads.

Mr. Robinson presented the petition of inhabitants of Wyoming co. for aid to the Geneseo academy, which was referred to the committee on finance.

Mr. Morgan presented the petition of mechanics and engineers for a law imposing a penalty on engineers in steam manufactories unless having a certificate of qualification, which was committed to the committee of the whole.

Mr. Beekman presented the memorial of citizens of New-York for a law to tax non-resident property, which was referred to the committee on the internal affairs of towns and counties.

Mr. Stanton presented the petition of inhabitants of Tompkins and Chemung counties against the repeal of the charter of the Hector and Catherine turnpike road and bridge co., which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Fox presented the petition of inhabitants of Herkimer co. for the par redemption of bank notes in New-York, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Mann presented the petition of Bernard F. Rombough and Lydia M. Rombough for a law to vest and confirm in Lydia M. Rombough the title to certain real estate, which was referred to the committee on the judiciary.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Presbyterian congregation of Freehold to purchase or build a parsonage house," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act for the relief of St. Vincent's orphan asylum in the city of Albany," reported in favor of the passage of same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act for the relief of the Roman Catholic orphan asylum in the city of Brooklyn," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, reported for the consideration of the Senate a bill entitled, "An act to enable religious societies to provide for their common expenses," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Beach, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise Charles Kelsey to erect piers and bulkheads in front of his land in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to authorise the sale of certain out blocks in the city of Oswego," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to create the Croton aqueduct department in the city of New-York,' passed April 11, 1849," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the sale of land belonging to the State in the city of Auburn," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of Rondout,' passed April 4, 1849," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Brandreth, from the committee on public printing, to which was referred the motion to print an extra number of the report of the committee on claims on the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," reported the following resolution :

*Resolved*, That five times the usual number of the said report be printed for the use of the Legislature.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Johnson, from the select committee, to which was referred the bill from the Assembly entitled, "An act to alter, open and extend certain highways from the city of Albany into the town of Watervliet in the county of Albany," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the commitment and confinement of vagrants in the county jail of the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

A bill was received from the Assembly for concurrence entitled, "An act to alter the map of the city of New-York by laying out thereon a public place known as Stuyvesant Square," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled,

"An act to incorporate the Onondaga hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the trustees of school district No. 2 in the town of German Flatts to borrow money and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the citizen's fire insurance company," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act incorporating the Saratoga and Washington railroad company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to exempt certain lands within the village of Cohoes from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the city superintendent of common schools in the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act abolish the office of secretary to the commissioners appointed to supervise the expenditure of money collected by certain medical officers and institutions in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

A message was received from the Assembly requesting the Senate to transmit to that body the papers of Wm. Barnhart now on the files of the Senate.

The President put the question whether the Senate would agree to said request, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to amend the several acts in relation to the Rensselaer institute."

"An act in relation to the Utica water works company."

*Ordered,* That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to authorise the sale and conveyance of certain real estate belonging to the estate of William W. Wadsworth."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments of the Assembly, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

By unanimous consent,

Mr. Crolius, from the select committee, to which was referred the bill from the Assembly entitled, "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to introduce a bill entitled, "An act relative to Freeman's bridge company in the county of Schenectady," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Dart offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the standing committee on railroads are hereby required and authorised, during the recess of the Legislature, to visit Rouse's Point and such other places in the vicinity as in their judgment may be necessary, and to take testimony in relation to bridging lake Champlain at Rouse's Point, and that the committee report to the Senate such portions of the testimony already taken by them as in their judgment requires perpetuation.

Debate was had thereon, when

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Geddes,

*Resolved*, That the Senate bill No. 155, to release the restrictions and conditions in a grant made by letters patent to Abraham Varick be referred to the judiciary committee to report complete.

Mr. Schoonmaker offered for the consideration of the Senate, the following preambles and resolution, to wit:

*Whereas*, The following amendment to the constitution of this State, was at the last session of the Legislature, proposed in the



Senate, viz : "In case of the impeachment of the Governor, or his removal from office, death, or inability to discharge the powers and duties of said office; resignation or absence from the State, the powers and duties of the office shall devolve on the Lieutenant Governor for the residue of the term or until the disability shall cease; or if there shall be a vacancy in the office of Lieutenant Governor, or if the Lieutenant Governor be under impeachment, or be absent from the State or incapable of performing the duties of his office, then the powers and duties of the office of Governor shall devolve upon the President of the Senate; or if there be no President of the Senate at the time, then upon the Speaker of the Assembly, for the residue of the term of said Governor, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of a military force, he shall continue commander-in-chief of all the military force in the State."

*And whereas*, The said proposed amendment was then agreed to by a majority of the members elected to each of the two houses, and was entered upon the journals with ayes and nays taken thereon, and referred to the present Legislature then to be chosen "at the next general election of Senators"

*And whereas*, The said proposed amendment has been duly published three months previous to the time of making such choice.

*Resolved*, That the Senate do agree to the said proposed amendment.

*Ordered*, That said resolution be referred to the committee on the judiciary.

The bill from the Assembly entitled, "An act to alter, open and extend certain highways from the city of Albany into the town of Watervliet in the county of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend 'An act relating to the redemp-

tion of bank notes,' passed May 4, 1840," and after some time spent thereon, Mr. Crook, from said committee, reported the bill to the Senate with amendments, as follows :

*The People of the State of New-York, represented in Senate and Assembly, do enact as follows:*

§ 1. Section four of the act relating to the redemption of bank notes, passed May 4, 1840, is hereby amended so as to read as follows :

"§ 4. It shall be the duty of every such corporation, banking association, and individual banker out of the city of New-York, to redeem and pay on demand all circulating notes issued by such corporation, banking association, or individual banker, presented for redemption or payment at the office of their said agent in the city of New-York at par."

Mr. Cook moved to amend said report by restoring said bill to the position in which it was originally reported by the committee on banks and insurance companies.

The President (Mr. Morgan temporarily in the chair) put the question whether the Senate would agree to the said motion, and the vote thereon was as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Cross	Mr. Morgan
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius		

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**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Beach	Mr. Mann	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Dart		

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Mr. Geddes moved to amend said report by striking out the word "par," in the last line, and inserting the words "one-half per cent."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Cross	Mr. Miller	Mr. Skinner
Mr. Geddes		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Snyder
Mr. Beekman	Mr. Dimmick	Mr. Stanton
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Carroll	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Noyes	

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Mr. Miller moved to amend said report by striking out the word "par," in the last line, and insert the words "one quarter of one per cent."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Crolius	Mr. Miller
Mr. Brandreth	Mr. Cross	Mr. Morgan
Mr. Brown	Mr. Fox	Mr. Tuttle

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Skinner
Mr. Beach	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Robinson	Mr. Upham
Mr. Dart		

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Mr. Geddes moved to lay said report on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Carroll moved to amend said report by striking out the enacting clause of said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Dimmick	Mr. Geddes	Mr. Skinner
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3

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beach	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brandreth	Mr. Fox	Mr. Stanton
Mr. Brown	Mr. Johnson	Mr. Stone
Mr. Carroll	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	

23

Mr. Cook moved to reconsider the vote on amending said report by restoring the bill as reported by the committee on banks and insurance companies.

Mr. Dart moved to lay on the table the motion of Mr. Cook to reconsider.

The President put the question whether the Senate would agree to the said motion of Mr. Dart, and it was decided in the affirmative.

Mr. Johnson moved to reconsider the vote just taken on the motion of Mr. Dart.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the motion to lay the motion of Mr. Cook to reconsider on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to the motion of Mr. Cook to reconsider said vote, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the motion of Mr. Cook to restore the original bill, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	

20

#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Stanton

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Mr. Babcock moved to amend said report by striking out all after the enacting clause, and insert the following :

§ 1. The act entitled "An act relating to the redemption of bank notes," passed May 4, 1840, is hereby repealed.

§ 2. It shall be lawful for any number of incorporated banks, banking associations and private bankers, by agreement, to associate together for raising a joint fund, to be placed in the hands of their common agent, for the redemption of their circulating notes in the city of New-York and also the circulating notes of other incorporated banks, banking associations and individual bankers, in such manner and under such regulations as may be agreed upon, and to employ such agents and clerks as they may deem necessary to carry on the business of such common agency; but nothing herein con-

tained shall authorise the redemption or purchase by such agency of any circulating notes issued by any bank, banker or association within this State at a discount of more than one-half of one per cent, nor to authorise any incorporated bank, banking association or individual banker to purchase, buy in or take up, directly or indirectly, their circulating notes at an amount less than what purports to be due thereon.

§ 3. This act shall take effect on the first day of July next.

On motion of Mr. Cook,

The Senate then adjourned until 10 o'clock to-morrow morning.

## SATURDAY, MARCH 9, 1860.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noble.

The journal of yesterday was read and approved.

Mr. Cook presented the petition of citizens of Whitehall for a law imposing tolls on the railroads competing with the Champlain canal, which was referred to the committee on finance.

Mr. Morgan presented the petition of merchants of New-York for the reduction of the tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Fox presented the petition of the President and directors of the Little Falls and Salisbury plank road company for authority to borrow money and mortgage their road, which was referred to the committee on roads and bridges.

Mr. Robinson presented the petition of inhabitants of Allegany county for aid to the Geneseo academy, which was referred to the committee on finance.

Messrs. Robinson, and Skinner presented two several petitions of inhabitants of Wyoming and Jefferson counties for the repeal of the free school law, which was referred to the committee of the whole.

Mr. Johnson presented two several petitions of tenants holding lands under perpetual leases for a law to stay the collection of rents until the question of title is settled, which was referred to the committee of the whole.

Mr. Crolius presented the memorial of Geo. Griswold and others for an amendment of the New-York tax bill pending in the Senate involving the taxation of property instead of persons, which was referred to the committee of the whole.

Mr. Cross presented the petition of inhabitants of New-York for

an amendment to the New-York tax bill so as to specify the amounts for contingent expenses, which was referred to the committee of the whole.

Mr. Dart presented the remonstrance of inhabitants of St. Lawrence county against removing rocks in the bed of Indian river, which was referred to the committee of the whole.

Mr. Morgan presented the memorial of the mayor of New-York asking the Senate to postpone action upon the bill for an increase of the powers of the governors of the alms house, which was referred to the committee of the whole.

Mr. Beach from the committee on State prisons, to which was referred a bill from the Assembly entitled "An act to provide for the commitment and confinement of vagrants in the county jail in the county of Albany," reported in favor of the passage of the same without amendment.

On motion of Mr. Beach,

*Ordered*, That the said bill do have its third reading.

Mr. Stanton from the committee on charitable and religious societies to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise Henry C. DeRham and others to incorporate themselves under 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the village of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Crolius from the committee on militia and public defence, to which was referred the bill from the Assembly entitled, "An act to organize a separate battalion in the county of Richmond," reported in favor of the passage of the same without amendment, which was referred to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill entitled, "An act to facilitate the settlement of claims for damages by reason of the diversion of the waters of the Black river for the use of the Black river and Erie canals," reported adverse to the passage of the same, which was referred to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to improve the navigation of the Seneca river at Baldwinsville in the county of Onondaga," reported and offered the following resolution :

*Resolved*, That the engrossed bill from the Assembly entitled, "An act to improve the navigation of the Seneca river at Baldwinsville in the county of Onondaga," be referred to the canal board, and that said board be requested to ascertain and report to the

Senate the probable expense of all the improvements and works contemplated to be made by said act, with an estimate of all damages which the State will in any way be liable to pay for land to be taken or flooded by the making of said improvement, and that said board also enquire and report what revenue the works and improvements aforesaid will probably yield to the State, and that they also state whether in their opinion it is expedient and in view of the public benefits to be derived from such improvements and works for the State to make the same with their reasons for such opinion, and also from what fund the expenses must according to the provisions of the constitution be paid, and that the said board be requested to direct the State engineer to examine the said premises and report thereon.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to exempt certain lands within the village of Cohoes from taxation," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Mann, from a majority of the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to incorporate the United States mail steam ship company," with instruction to report as to the constitutionality of said act, reported against the same in writing and offered the following resolution :

*Resolved*, That the proper and legitimate objects to be attained by the creation of the United States mail steam ship company can in the judgment of the Senate be attained under a general law authorising the formation of such companies and that the same cannot therefore be created by special act, in conformity to the provisions of the constitution.

(See Doc. No. 79.)

Mr. Schoonmaker from the minority of the committee on the judiciary, to which was referred the bill entitled, "An act to incorporate the United States mail steam ship company," reported in writing in favor of the constitutionality of said bill and offered the following resolution :

*Resolved*, That in the judgment of the Senate the objects of the United States mail steam ship company cannot be attained under general laws.

(See Doc. No. 79.)

Mr. Geddes moved said reports be laid on the table.

The President put the question whether the Senate would agree to said reports, and it was decided in the affirmative.

Mr. Johnson moved that twice the usual number of the said reports be printed.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act amending the charter of the village of Seneca Falls."

"An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations."

"An act to restrain district attorneys from conducting civil proceedings in certain cases."

"An act to provide for the settlement of the accounts of testamentary trustees."

"An act to authorise the Williamsport and Elmira railroad company incorporated by the State of Pennsylvania to construct a part of their road in this State."

*Ordered*, That said bills be engrossed for a third reading.

Mr. Crolius, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act entitled 'An act relative to the general society of mechanics' and tradesmen of the city of New-York," passed April 3, 1803, passed April 11, 1833," reported in favor of the passage of the same without amendment.

On motion of Mr. Crolius,

*Ordered*, That said bill do have its third reading.

Mr. Mann from the committee on the judiciary, to which was referred the bill entitled, "An act to release the restrictions and conditions in a grant made by Letters patent to Abraham Varrick," to report complete, reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Governor was received and read in the words following, to wit:

#### STATE OF NEW-YORK,

EXECUTIVE DEPARTMENT, }  
Albany, March 8, 1850. }

#### *To the Senate:*

I have this day approved and signed the following bills:

"An act to amend the charter of the Canandaigua and Corning railroad company."

"An act to amend an act entitled, 'An act to incorporate the Lewiston suspension bridge company,' passed March 26, 1849."

"An act for the payment to Asa Baxter of the amount of his damages, appraised by commissioners, appointed under an act for the appraisement of his damages, passed December 14, 1847."

"An act in relation to the Utica water works company."

"An act to amend the several acts relative to the Rensselaer institute."

HAMILTON FISH.



A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to authorise the sale and conveyance of certain land belonging to the estate of William W. Wadsworth."

*Ordered*, That the Clerk deliver said bill to the Governor.

The President laid before the Senate the following communication :

*Albany, March 8, 1850.*

To the Hon. GEORGE W. PATTERSON,  
*Lieutenant Governor:*

SIR—We have the honor, as a committee of the New-York State medical society, to present you a copy of certain proceedings of that body, at its session held in February last. We respectfully ask the favorable consideration of the Legislature concerning them.

With sentiments of high respect,

We remain yours,

T. ROMEYN BECK,  
JAMES McNAUGHTON,  
R. H. THOMPSON,

*Committee.*

*(See Doc. No. 80.)*

*Ordered*, That said communication be referred to the committee on medical societies and colleges.

On motion of Mr. Mann,

*Resolved*, That Senate bill No. 169, entitled "An act to enable the Seneca road company to sell parts of their road to plank road companies and to abandon some parts of their road," be referred to a select committee to report complete.

*Ordered*, That Messrs. Mann, Dimmick and Geddes be said committee.

Mr. Guinnip offered for the consideration of the Senate, the following preamble and resolution, to wit :

*Whereas*, A memorial of sundry inhabitants of Chemung county preferring various charges against the Canal Commissioners, also the acting Canal Commissioner having charge of the Chemung canal, has been presented to the honorable the Assembly and referred to the select committee of that body appointed to investigate canal frauds, therefore

*Resolved*, That the resolution passed February 9, 1850, appointing a select committee to investigate the doings of the Canal Commissioners under an act in relation to the Chemung canal, passed April 10, 1848, be and the same is hereby rescinded, and the said select committee is discharged from the further consideration of the subject.

Mr. Geddes moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Cook moved to amend by striking out all after the word "resolved," and insert the following :

"That the select committee heretofore appointed by the Senate on the subject of alleged frauds on the Chemung canal, be authorized to sit during the recess of the Legislature, with authority to send for persons and papers."

Mr. Schoonmaker moved that the further consideration of said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to said amendment of Mr. Cook, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Geddes	Mr. Robinson	
Mr. Cook	Mr. Johnson	Mr. Schoonmaker	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Dimmick			10

FOR THE NEGATIVE.

Mr. Babcock	Mr. Fox	Mr. Snyder	
Mr. Brandreth	Mr. Guinnip	Mr. Stanton	
Mr. Carroll	Mr. Mann	Mr. Stone	
Mr. Crook	Mr. Noyes	Mr. Tuttle	
Mr. Dart	Mr. Skinner		14

Debate was had thereon, when

A division of the question being called for,

The President put the question whether the Senate would agree to the adoption of said resolution of Mr. Guinnip, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Snyder	
Mr. Brandreth	Mr. Guinnip	Mr. Stanton	
Mr. Carroll	Mr. Mann	Mr. Stone	
Mr. Crook	Mr. Noyes	Mr. Tuttle	
Mr. Dart	Mr. Skinner		14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Geddes	Mr. Robinson	
Mr. Cook	Mr. Johnson	Mr. Schoonmaker	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Dimmick			10

The President then put the question whether the Senate would agree to the said preamble, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Skinner	

14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Schoonmaker
Mr. Croluis	Mr. Morgan	Mr. Upham
Mr. Dimmick		

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Mr. Geddes offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That on Wednesday the 13th inst., at 4 o'clock p. m., the Senate will go into committee of the whole upon the report of the commissioners on practice and pleadings, and that thereafter afternoon sessions will be held until that report is disposed of.

Mr. Morgan moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, That on Wednesday next the Senate will hold an evening session, commencing at 7 o'clock, at which time it shall consider that portion of business called the "general orders of the day."

On motion of Mr. Beekman,

*Resolved*, That Senate bill No. 156, being "An act further to amend 'An act establishing free schools throughout the State,' passed March 26, 1849," be made the special order for Tuesday next, March 12, immediately after executive session.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 159, entitled "An act to extend the lines of certain lots in the city of Buffalo and the village of Black Rock," and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Johnson, Babcock and Robinson, be said committee.

On motion of Mr. Johnson,

*Resolved*, That the bill in relation to manorial leases be made the special order for Monday next at 12 o'clock, and that it continue to remain the special order from day to day at the same hour until the same is disposed of.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors."

Said amendments were read, when

Mr. Babcock moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly informing that they had passed without amendment the bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road."

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Oswego hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The bill entitled, "An act to provide for the settlement of the accounts of testamentary trustees," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes	
Mr. Brandreth	Mr. Dimmick	Mr. Robinson	
Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Carroll	Mr. Guinnip	Mr. Snyder	
Mr. Cook	Mr. Mann	Mr. Stone	
Mr. Crolius	Mr. Morgan	Mr. Tuttle	18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the Williamsport and Elmira railroad company, incorporated by the state of Pennsylvania, to construct a portion of their road in this State," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson	
Mr. Brandreth	Mr. Fox	Mr. Skinner	
Mr. Brown	Mr. Geddes	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stone	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Noyes		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to restrain district attorneys from conducting civil proceedings in certain cases," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Noyes	
Mr. Brandreth	Mr. Fox	Mr. Robinson	
Mr. Brown	Mr. Geddes	Mr. Skinner	
Mr. Cook	Mr. Guinnip	Mr. Snyder	
Mr. Crolius	Mr. Mann	Mr. Tuttle	
Mr. Crook	Mr. Morgan	Mr. Upham	18

FOR THE NEGATIVE.

Mr. Stone	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to prevent the circulation of the notes of banks whose charters have expired, and in relation to the duties and powers of the trustees of monied corporations," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson	
Mr. Brandreth	Mr. Fox	Mr. Skinner	
Mr. Brown	Mr. Geddes	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stone	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Noyes		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act relative to the general society of mechanics and tradesmen of the city of New-York,' passed April 13, 1811, passed February 18, 1833," was read the third time, and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Robinson

Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Carroll	Mr. Guinnip	Mr. Stone	
Mr. Cook	Mr. Johnson	Mr. Tuttle	
Mr. Crolius	Mr. Mann	Mr. Upham	
Mr. Crook	Mr. Morgan		20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the commitment and confinement of vagrants in the county jail of the county of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson	
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker	
Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Cook	Mr. Guinnip	Mr. Stone	
Mr. Crolius	Mr. Johnson	Mr. Tuttle	
Mr. Crook	Mr. Noyes	Mr. Upham	18

FOR THE NEGATIVE.

Mr. Mann	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Babcock introduced a bill entitled, "An act in relation to the publication of notices previous to the conveyance of land sold for taxes," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

In pursuance of previous notice, and by unanimous consent,

Mr. Dart introduced a bill entitled, "An act authorising county treasurers to extend the time for the collection of taxes in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Brandreth,

The Senate then adjourned until 10 o'clock on Monday morning.

MONDAY, MARCH 11, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of Saturday was read and approved.

Messrs. Brown, Noyes, and Stone presented three several petitions of inhabitants of Queens, Chenango, and Madison counties for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Johnson presented the remonstrance of W. H. Barker against the passage of the bill in relation to wharfage in the city of Albany, which was referred to the committee on commerce and navigation.

Mr. Crolius presented the petition of citizens of New-York for a law to tax the property of non-residents, which was referred to the committee of the whole.

Mr. Dart presented the petition of inhabitants of St. Lawrence for the application of certain taxes for the construction of a road, which was referred to the committee on roads and bridges.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Jared B. Moss for payment of work done by him on a canal contract, reported and offered the following resolution :

*Resolved*, That the standing committee on claims be discharged from the further consideration of the petition of Jared B. Moss and the papers accompanying the same, and that the same be referred to the canal board for adjustment, and that they report whether any if any, what legislative action is required to enable them to make such adjustment.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," reported in favor of the passage of the same with amendment.

On motion of Mr. Cross,

*Ordered*, That said bill be referred to the committee on the judiciary to report complete.

Mr. Beach, from the committee on public printing, to which was referred the motion to print an extra number of the reports of the majority and minority of the committee on the judiciary on the bill to incorporate the United States mail steamship company, reported the following resolution :

*Resolved*, That five times the usual number of the said reports be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the publication of notices previous to the conveyance of land sold for taxes," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," to report complete, reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson, from the select committee, to which was referred the bill entitled, "An act to extend the lines of certain lots in the city of Buffalo and village of Black Rock," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crolius, from the select committee, to which was referred the bill from the Assembly entitled, "An act to alter the map of the city of New-York by laying out thereon a public place known as Stuyvesant Square," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to amend the act for the incorporation of companies to construct plank roads and turnpike roads."

"An act to provide for the support and education of a limited number of Indian youth of the State of New-York at the Normal school."

*Ordered*, That said bills be returned to the Assembly.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill to authorise the Canal Commissioners to build a bridge across the Erie canal at Genesee street in the city of Buffalo.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill further to amend the act entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," passed April 12, 1848.

By unanimous consent,

Mr. Morgan introduced a bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise seventy-five thousand dollars by loan and to fund the same for the erection of a work house," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.



On motion of Mr. Crolius,

*Resolved*, That Senate bill No. 167, being "An act licensing steam engineers," be made the special order for Thursday next at 12 o'clock M.

On motion of Mr. Schoonmaker,

*Resolved*, That the bill from the Assembly entitled, "An act amending the charter of the village of Rondout," be referred to a select committee to report complete.

*Ordered*, That Messrs. Schoonmaker, Cross and Johnson, be said committee.

The bill entitled, "An act granting land under water in the city of Brooklyn to the trustees and associates of the Brooklyn benevolent society for the improvement thereof," having been amended by unanimous consent, was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to alter the map of the city of New-York, by laying out thereon a public place known as Stuyvesant Square," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### <sup>a</sup> FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Crolius	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Morgan	Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 9, 1860.* }

*To the Senate :*

I have this day approved and signed the bill entitled, "An act to authorise the sale and conveyance of certain real estate belonging to the estate of William W. Wadsworth."

HAMILTON FISH.

On motion of Mr. Cross,

The Senate proceeded to the consideration of the question on concurring in the amendments of the Assembly to the bill entitled, "An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors."

The President put the question whether the Senate would agree to the said amendments of the Assembly, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act for the relief of tenants holding lands under perpetual leases in this State."

The bill from the Assembly entitled, "An act for the speedy disposition of certain suits."

And after some time spent thereon, Mr. Cross, from said committee, reported progress on said first mentioned bill and asked for and obtained leave to sit again.

Mr. Cross, from same committee, reported in favor of the passage of said last mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The President laid before the Senate the following communication:

*Albany, March 11, 1850.*

TO THE PRESIDENT OF THE SENATE:

SIR—In the published proceedings of the Senate of Saturday last, I notice that the select committee appointed to investigate certain preferred charges of fraud in relation to the construction of a portion of the Chemung canal have been discharged from the further consideration of the subject, and that the resolution appointing such committee has been rescinded.

Confident that the official acts of the Canal Commissioners complained of would bear the strictest scrutiny, I urged when the subject was under consideration in the Senate, that there should be no opposition to the desired investigation.

I am still anxious and solicitous that the investigation should take place, and regret exceedingly the rescinding of the resolution and the discharge of the committee.

Charges derogatory to my character as a man and a public officer have been made by the Senator from the 26th, accompanied by a speech which he felt to be his duty to make, and these have been sent in great numbers to various parts of the State.

In a subsequent discussion in the Senate upon this same subject, this Senator declared that the Commissioners were expending large sums of money daily upon the work, and that early measures should be taken to stop this fraudulent expenditure of the public money.

With this apparently earnest solicitude of the Senator for an investigation of these charges, which he claimed that his public duty required him to make, I confess I was not only unprepared but surprised to find him the first Senator to offer a resolution discharging the committee of investigation from the further consideration of the charges which he had preferred, and of which committee he himself was chairman, and that too when not a single fact had been presented to the Senate in defence of the Commissioners.

These charges strike deep at public and private character; they are made in the capitol of the State, on the floor of one of the most dignified branches of the government, and by one of its members. This gives them a consequence that under other circumstances they might not have, and I respectfully submit that the Senate ought not to allow this matter to pass out from their jurisdiction and control, without giving the Senator an opportunity to prove his charges to be true, or the Canal Commissioners relieved from the imputations thus cast upon them.

Therefore I ask of the Senate, as an act of justice due to myself and to the public whose servant I am, that the same body before whom the charges have been preferred, will authorise and direct the select committee of which the Senator from the 26th was chairman, to proceed and investigate the charges and report to the Senate without delay.

Very respectfully,  
Your obedient servant,  
CHARLES COOK,  
*Canal Commissioner.*

Mr. Robinson moved that said communication be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Johnson,

The Senate then adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, MARCH 12, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Potter.

The journal of yesterday was read and approved.

Mr. Carroll presented the petition of inhabitants of Troy for a law to authorise the issue of scrip on account of the Schenectady railroad, which was referred to the committee of the whole.

Mr. Beekman presented the petition of the board of education of district No. 5 of the town of Flushing for a law to legalize the annexation of adjoining district to said districts, which was referred to the committee on literature.

Mr. Geddes presented the petition of Geo. B. Partridge for a law authorising the election of overseers of highways by the inhabitants of said districts, which was referred to the committee on roads and bridges.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act authorising the trustees and associates of the Brooklyn benevolent society to sell a portion of their lands," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the resolution heretofore offered by Mr. Schoonmaker proposing an amendment to the constitution, reported in favor of the passage of the same without amendment.

Mr. Babcock moved said resolution be laid on the table and printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Robinson from the committee on medical colleges and societies, to which was referred the bill from the Assembly entitled, "An act to abolish the office of secretary to the commissioners appointed to supervise the expenditure of money collected by certain medical officers and institutions in the city of New-York," reported in favor

of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported in writing and introduced a bill entitled, "An act in relation to interments in certain cities and villages," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 81.)

Mr. Beekman moved that ten times the usual number of said report be printed.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Morgan from the committee on grievance to which was referred the bill from the Assembly entitled, "An act for the relief of John J. Ross," reported adverse to the passage of the same which was committed to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments and to administer oaths in other States and territories."

"An act to reorganize and regulate the common schools and the board of education in the city of Brooklyn."

"An act to release the restrictions and conditions in a grant made by Letters patent to Abraham Varick "

"An act to extend the lines of certain lots in the city of Buffalo and village of Black Rock."

*Ordered*, That said bills be engrossed for a third reading.

Mr. Geddes, from the select committee to which was referred the bill entitled, "An act to enable the Seneca road company to sell parts of their road to plank road companies, and to abandon some parts of their road," to report complete, reported the same complete with amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Schoonmaker, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of Rondout,' passed April 4, 1849," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Brown gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of insurance companies,' passed April 10, 1849."

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act authorising the canal commissioners to build a bridge

across the Erie canal at Genesee street in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Cross gave notice that he would, at an early day, ask leave to introduce a bill to regulate the laying out of highways.

Mr. Brandreth gave notice that he would, at an early day, ask leave to introduce a bill for the repeal of the Croton turnpike company's charter.

Mr. Mann gave notice that he would, at an early day, ask leave to introduce a bill to prescribe and define the powers and duties of the State engineer and surveyor, and of the engineers employed on the canals.

Mr. Snyder gave notice that he would, at an early day, ask leave to introduce a bill to amend an act concerning the proof of wills, executors, and administrators, guardian and wards, and surrogates' courts, passed May 16, 1837.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to promote the commutation of rents," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the judiciary.

In pursuance of previous notice,

Mr. Carroll asked for and obtained leave to introduce a bill entitled, "An act to amend the general banking law so as to make it apply to city bonds," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Cook,

The Senate proceeded to the consideration of the report of the committee of the whole on the bill entitled, "An act to amend 'An act in relation to the redemption of bank notes,' passed May 4, 1840," and the question being on the amendments of Mr. Babcock to repeal the said act of 1840."

The President put the question whether the Senate would agree to the amendments of Mr. Babcock, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole as amended, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

On motion of Mr. Geddes,

*Resolved*, That a committee of eight be appointed to which shall be referred all motions for taking bills from the general orders, and sending them to select committees to report complete; and to which shall be referred all motions ordering bills to be read a third time which have not been considered in committee of the whole.

Mr. Geddes moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled, "An act to exempt certain lands within the village of Cohoes from taxation," and that the same be referred to a select committee to report complete.

*Ordered*, That Messrs. Johnson, Schoonmaker, and Snyder be such select committee.

On motion of Mr. Babcock,

*Resolved*, That the engrossed bill from the Assembly entitled, "An act to authorise the city of Buffalo to subscribe to the stock of the Buffalo water works company," be referred to the judiciary committee to report complete.

On motion of Mr. Babcock,

*Resolved*, That the engrossed bill from the Assembly entitled, "An act for the protection of purchasers of real estate upon sales by order of surrogates," be taken from the general orders and referred to the standing committee on the judiciary to report complete.

On motion of Mr. Geddes,

The Senate then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Resolved*, That on Wednesday the 13th instant at 4 o'clock P. M. the Senate will go into committee of the whole upon the report of the commissioners on practice and pleadings and, that thereafter, afternoon session will be held until that report is disposed of.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

On motion of Mr. Mann,

*Resolved*, That the engrossed bill from the Assembly, in relation to the common schools in the city of Utica, be referred to a select committee to report complete.

*Ordered*, That Messrs. Mann, Beekman, and Stone be such select committee.

On motion of Mr. Beach,

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 174 in relation to the sale of land in Auburn, and that the same be ordered to a third reading.

On motion of Mr. Robinson,

*Resolved*, That the bill entitled, "An act to confirm the official acts of Lysander B. Brown, a justice of the peace, of the county of Chautauque," be ordered engrossed for a third reading.

On motion of Mr. Snyder,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to extend the charter of the Schoharie central bridge company, and that the same be referred to the committee on roads and bridges to report complete.

The bill entitled, "An act to provide for the appointment of commissioners to take the acknowledgment of deeds and other instruments and to administer oaths in other States and territories," having been amended by unanimous consent, was read the third time and

passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Tuttle
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Mann	Mr. Williams
Mr. Crook	Mr. Robinson	20

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to reorganize and regulate the common schools and the board of education in the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Geddes	Mr. Stone
Mr. Brown	Mr. Guinnip	Mr. Tuttle
Mr. Carroll	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Mann	Mr. Williams
Mr. Crook	Mr. Morgan	23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to extend the lines of certain lots in the city of Buffalo and village of Black Rock," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams
		21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.



The bill entitled, "An act to release the conditions and restrictions in a grant by Letters patent to Abraham Varick," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Noyes	

20

## FOR THE NEGATIVE.

Mr. Cook	Mr. Schoonmaker	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present at the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dart		

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate again proceeded to legislative business.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," and after some time spent thereon, Mr. Cross, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act further to amend 'An act establishing free schools throughout the State,' passed March 26, 1849."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State."

"An act to establish a free school in the town of West Farms, in the county of Westchester."

"An act to amend the charter of the Manhattanville free school."

And after some time spent thereon, Mr. Brown, from said committee, reported progress on the three first mentioned bills, and asked for and obtained leave to sit again.

Mr. Brown, from the same committee, reported said last mentioned bill to the Senate without amendment.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to confirm certain securities and conveyances of land," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

On motion of Mr. Crolius,

The Senate then adjourned until 10 o'clock to-morrow morning.

## WEDNESDAY, MARCH 13, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Schoonmaker presented the petition of inhabitants of the town of Poughkeepsie, for a law extending the time for the collection of taxes in said town, which was referred to the committee on the internal affairs of towns and counties.

Mr. Noyes presented the petition of inhabitants of Chenango county, for the repeal of the free school law, which was referred to the committee of the whole.

Mr. Brandreth presented the petition of citizens of Westchester county, for the repeal of the charter of the Croton Turnpike Company, which was referred to the committee on roads and bridges.

Mr. Geddes presented the petition of Charles C. Broadhead, for a law allowing him to appeal from the decision of canal appraisers for canal damages, which was referred to the committee on claims.

Mr. Johnson presented the resolutions of the town meeting, of the town of Ephrata, for the repeal of the law authorising a road from Ephrata to Garoga, which was referred to the committee on roads and bridges.

Mr. Geddes, from the committee on railroads, to which was referred the petition of inhabitants of the State of New-York, for authority to build a bridge across Lake Champlain, at Rouse's Point, in pursuance of a resolution of the Senate, reported the testimony taken before said committee, in relation to said bridge.

(See Doc. No. 87.)

Mr. Dart moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann, from the committee on poor laws, to which was referred so much of the annual message of the Governor as relates to the State Lunatic Asylum, reported "An act in relation to the State Lunatic Asylum," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Noyes, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, reported a bill entitled "An act to extend the time for the collection of taxes in the town of Poughkeepsie," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Schoonmaker,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Johnson, from the select committee to which was referred the bill from the Assembly entitled, "An act to exempt certain lands within the village of Cohoes from taxation," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York, to raise seventy-five thousand dollars by loan, and to fund the same for the erection of a work-house," reported in favor thereof without amendment, which was agreed to.

On motion of Mr. Morgan,

*Ordered*, That the said bill be engrossed for a third reading.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend an act relating to the redemption of bank notes, passed May 4, 1840."

"An act to legalize the acts of Lysander B. Brown, a justice of the peace of the county of Chatauque."

"An act to extend the time for the collection of taxes in the town of Poughkeepsie."

Mr. Beach, from the committee on public printing, to which was referred the motion to print ten times the usual number of the report of the committee on cities and villages, on interments in cities and villages, reported the following resolution:

*Resolved*, That five times the usual number of the said report be printed for the use of the legislature.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act relating to common schools in the village of Medina, passed April 9, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled 'An act in relation to common schools in the village of Lockport,' passed March 31, 1847," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on literature.

In pursuance of previous notice,

Mr. Mann asked for and obtained leave to introduce a bill entitled, "An act prescribing the powers and duties of the State engineer and surveyor and of the engineers employed on the public works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to authorise Charles Kelsey to erect piers and bulkheads in front of his lands in the city of Brooklyn," and that the same be recommitted to the committee on commerce and navigation.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the act entitled, "An act relating to the redemption of bank notes," passed May 4, 1840, be recommitted to the committee on banks and insurance companies with instructions to amend the same so as to provide for par redemption in the city of New-York.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Carroll  
Mr. Crolius  
Mr. Crook

Mr. Dart  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann

Mr. Noyes  
Mr. Robinson  
Mr. Tuttle  
Mr. Upham

## FOR THE NEGATIVE.

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Miller	Mr. Snyder
Mr. Cross	Mr. Morgan	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Williams
Mr. Dimmick		

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On motion of Mr. Mann and by unanimous consent,

The Senate suspended the 27th standing rule, and reconsidered its vote on the final passage of the bill entitled, "An act to release the restrictions and conditions in a grant made by letters patent to Abraham Varick."

The question being upon the final passage of said bill,

Mr. Schoonmaker moved that said bill be recommitted to the committee on the judiciary, with instructions to report a bill conferring power on the commissioners of the land office to grant the relief asked for in such cases.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Miller,

*Resolved*, That the bill to repeal the sixth section of the act to incorporate the Fort Plain bridge company, be taken from the committee of the whole and again referred to the committee on roads and bridges.

Mr. Tuttle, from the select committee to which was referred the bill entitled, "An act to extend the charter of the Schoharie central bridge company," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill from the Assembly entitled, "An act for the speedy disposition of certain suits," being upon its third reading,

Mr. Johnson moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis	Mr. Noyes	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to enable the Seneca road company to sell part of their road to plank road companies and to abandon some parts of their road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly, entitled, "An act for the protection of purchasers of real estate upon sales by order of surrogates," reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The bill from the Assembly entitled, "An act to amend an act to incorporate the village of Rondout," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Schoonmaker
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dimmick		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to amend 'An act relative to the redemption of bank notes,' passed May 4, 1840," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson	
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker	
Mr. Carroll	Mr. Geddes	Mr. Skinner	
Mr. Cook	Mr. Guinnip	Mr. Snyder	
Mr. Crolius	Mr. Johnson	Mr. Stone	
Mr. Crook	Mr. Miller	Mr. Tuttle	
Mr. Cross	Mr. Morgan	Mr. Williams	20

## FOR THE NEGATIVE.

Mr. Dimmick	Mr. Noyes	Mr. Upham	1
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*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill from the Assembly entitled, "An act to exempt certain lands within the village of Cohoes from taxation," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen	
Mr. Beekman	Mr. Geddes	Mr. Robinson	
Mr. Carroll	Mr. Guinnip	Mr. Schoonmaker	
Mr. Cook	Mr. Johnson	Mr. Skinner	
Mr. Crolius	Mr. Mann	Mr. Snyder	
Mr. Crook	Mr. Miller	Mr. Stone	
Mr. Cross	Mr. Noyes	Mr. Upham	
Mr. Curtis			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to extend the time for the collection of taxes in the town of Poughkeepsie," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen	
Mr. Beekman	Mr. Fox	Mr. Robinson	
Mr. Carroll	Mr. Geddes	Mr. Schoonmaker	
Mr. Cook	Mr. Guinnip	Mr. Skinner	
Mr. Crolius	Mr. Johnson	Mr. Snyder	
Mr. Crook	Mr. Mann	Mr. Stone	
Mr. Cross	Mr. Miller	Mr. Tuttle	
Mr. Curtis	Mr. Noyes	Mr. Upham	24

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill from the Assembly entitled, "An act for protection of purchasers of real estate upon sales by order of surrogates," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Guinnip	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams
		21

FOR THE NEGATIVE.

Mr. Schoonmaker	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to legalise the acts of Lysander B. Brown, a justice of the peace in the county of Chautauque," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Owen
Mr. Beekman	Mr. Guinnip	Mr. Robinson
Mr. Carroll	Mr. Johnson	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dimmick		22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence entitled, "An act to pay certain expenses of Daniel Fullerton for defending the right to a seat in the Assembly from the third Assembly district in the county of Orange, and of Daniel T. Durland for contesting the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the relief of tenants holding lands un-



der perpetual leases in this State," and after some time spent thereon, Mr. Cross, from said committee, reported in favor of the passage of the same with amendments.

Mr. Carroll moved that said bill be referred to a select committee consisting of the Senators from the 8th, 9th, 10th, 11th and 12th districts, and that the same be printed.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act appropriating certain moneys received for premium on loans."

"An act to provide for a final settlement of the loans of 1792 and 1808 by a transfer to the United States deposit fund."

And after some time spent thereon, Mr. Schoonmaker, from said committee, reported in favor of the passage of said first mentioned bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Schoonmaker, from said committee, reported in favor of the passage of said third mentioned bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 12, 1850. }*

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to amend an act entitled, 'An act to incorporate a gas light company in the village of Brooklyn,' passed April 18, 1825, and to confirm the election of directors."

HAMILTON FISH.

The special order for the day, being the bill entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York," having been announced,

Mr. Williams moved that the further consideration of said bill be postponed until Monday next at 12 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to amend 'An act establishing free schools throughout the State,' passed March 26, 1849."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State."

"An act to establish a free school in the town of West Farms in the county of Westchester."

And after some time spent thereon, Mr. Dart, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act relating to sales by auction in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to extend the charter of the Schoharie central bridge company."

"An act authorising the mayor, aldermen and commonalty of the city of New-York to raise seventy-five thousand dollars by loan and to fund the same, for the erection of a work house."

"An act to amend the charter of the Manhattanville free schools in the city of New-York."

*Ordered*, That said bills do have their third reading.

On motion of Mr. Carroll,

The Senate then took a recess until 7 o'clock p. m.

## 7 O'CLOCK P. M.

The Senate again met.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the protection of purchasers of real estate upon sales by order of surrogates."

*Ordered*, That said bill be returned to the Assembly.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," and after some time spent thereon, Mr. Fox, from said committee, reported progress and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the Comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company," and after some time spent thereon, Mr. Dimmick, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay the Syracuse coarse salt company

to abate a nuisance," and after some time spent thereon, Mr. Curtis, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act in relation to fees of county treasurers," and after some time spent thereon, Mr. Johnson, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Babcock moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Ordered, That Messrs. Babcock, Geddes and Curtis, be said committee.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the appraisal and payment of canal damages to Mathew Sayer," and after some time spent thereon, Mr. Miller, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the Canal Board to hear and determine the claim of Washington Thurman, Warren Mills and Benjamin A. Towner, for damages sustained by the sinking of a canal boat," and after some time spent thereon, Mr. Crolius, from said committee, reported in favor of the passage of the same without amendment.

Mr. Morgan moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act making a conditional appropriation towards erecting a fire proof building for the New-York historical society," and after some time spent thereon, Mr. Brandreth, from said committee, reported progress and asked and obtained leave to sit again.

On motion of Mr. Guinnip,

The Senate then adjourned until 10 o'clock to-morrow morning.

## THURSDAY, MARCH 14, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of inhabitants of the village of Skaneateles for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Morgan presented the petition of John B. Rich for the incorporation of Richmond Institute for physical training in the city of New-York, which was referred to the committee on medical societies and colleges.

Mr. Upham presented the petition of inhabitants of Batavia for the reduction of tolls on foreign salt, which was referred to the committee on the manufacture of salt.

Mr. Owen presented the petition of inhabitants of Cattaraugus county for authority to construct a bridge across the Allegany river, which was referred to the committee on roads and bridges.

Mr. Crook presented the petition of inhabitants of Clinton county for an appropriation for the improvement of the Saranac river, which was referred to the committee on finance.

Messrs. Schoonmaker, Curtis, and Upham presented four several petitions of inhabitants of Ulster, Orange, and Genesee counties for the repeal of the free school, which was referred to the committee of the whole.

Mr. Curtis presented the petition of the Newburgh and Cohecton turnpike company for a law allowing them to change their toll gates in the county of Sullivan, which was referred to the committee on roads and bridges.

Mr. Curtis presented the petition of citizens of Orange county for the passage of a law for a board of examiners for the Hahnemann college of medicine, which was referred to the committee on medical societies and colleges.

Mr. Fox presented the petition of Robert Dunlop and others owners of wharves on the west side of the Albany basin for the passage of the bill for the reduction of wharfage in Albany, which was referred to the committee on commerce and navigation.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported the bill entitled, "An act to condense and amend the several acts relative to the village of Skaneateles," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act in relation to

the superintendent of common schools in the city and county of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Geddes from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act to amend the act incorporating the Saratoga and Washington railroad company," reported in favor of the passage of the same without amendment.

On motion of Mr. Cook,

*Ordered*, That said bill do have its third reading.

Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act relating to sales at auction in the city of Albany," reported in favor of the passage of same without amendment.

On motion of Mr. Johnson,

*Ordered*, That said bill do have its third reading.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to James S. Kellogg," reported adverse to the passage of the same in writing, which was committed to the committee of the whole.

(See Doc. No. 81.)

Mr. Upham, from the committee on canals, to which was referred the bill entitled, "An act authorising the canal commissioners to build a bridge across the Erie canal at Genesee street in the city of Buffalo," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act for the final settlement of the loans of 1792 and 1808, by a transfer to the United States deposit fund and to abolish the office of loan commissioners."

"An act appropriating certain moneys received for premium on loans."

"An act to authorise the comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company."

"An act to authorise the sale of certain pieces of land belonging to the State in Auburn."

*Ordered*, That said bills do have their third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred a bill from the Assembly entitled, "An act relative to the location of a gate on the Lockport and Warrens Corners plank road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act in relation to a draw bridge at Oak Orchard, over Oneida river," reported

in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act empowering the Deerfield Macadam road to construct a plank sidewalk along the side of their road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Mann, from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to common schools in the city of Utica," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered to a third reading.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act concerning highways," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Johnson introduced the bill entitled, "An act to amend the several acts relating to the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Robinson gave notice that he would ask leave to introduce a bill to legalize the acts of the board of supervisors of Allegany county at their special sessions held December 26, 1849.

On motion of Mr. Cook,

*Resolved*, That on and after Friday the Senate will take a recess at 2 o'clock P. M. until 4 o'clock P. M. daily, with the exception of Saturdays, and that at the afternoon session it will consider only unfinished business until the same be disposed of.

A message was received from the Assembly, delivered by Messrs. Goddard and Nott, informing of the election of Hon. Ferral C. Dinny as Speaker pro tem.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the engrossed bill from the Assembly entitled, "An act for the relief of St. Vincent's orphan asylum in the city of Albany," and that the same be ordered to a third reading.

On motion of Mr. Geddes,

The Senate proceeded to the consideration of the resolution heretofore offered by him, the same having been amended by him to read as follows, to wit:

*Resolved*, That a committee of five be appointed to which shall be referred all motions for taking bills from the general orders and sending them to select committees to report complete: and to which shall be referred all motions ordering bills to be read a third time which have not been considered in committee of the whole.

On motion of Mr. Robinson,

*Resolved*, That the select committee of which the Senator from

Mr. Brandreth moved said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

Mr. Brandreth	Mr. Hart	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Curtis	Mr. Noyes	

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Schoonmaker
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

*Resolved*, That a select committee consisting of Senators Guinnip, Schoonmaker, and Upham be appointed to investigate the charges of alleged frauds on the Chemung canal, preferred by the Senator from the 26th district, against the conduct of the commissioner in charge, and be authorised to proceed to the village of Jefferson, Chemung county, to investigate the said alleged frauds, and to report to the Senate without delay.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows :

Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Schoonmaker
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Dimmick	Mr. Owen	

Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder

Mr. Carroll	Mr. Mann	Mr. Stone	
Mr. Curtis	Mr. Noyes	Mr. Tuttle	
Mr. Dart			13

Mr. Dart moved that the Senate reconsider its vote on the adoption of said resolution.

Mr. Fox moved that said motion of Mr. Dart to reconsider be laid on the table.

The President then put the question whether the Senate would agree to the said motion of Mr. Fox, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Skinner	
Mr. Brown	Mr. Guinnip	Mr. Snyder	
Mr. Carroll	Mr. Mann	Mr. Stone	
Mr. Curtis	Mr. Noyes	Mr. Tuttle	
Mr. Dart			13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Geddes	Mr. Robinson	
Mr. Cook	Mr. Johnson	Mr. Schoonmaker	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	
Mr. Dimmick	Mr. Owen		14

The President put the question whether the Senate would agree to the said motion of Mr. Dart, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dart	Mr. Skinner	
Mr. Brown	Mr. Fox	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stone	
Mr. Crook	Mr. Mann	Mr. Tuttle	
Mr. Curtis	Mr. Noyes		14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Geddes	Mr. Robinson	
Mr. Cook	Mr. Johnson	Mr. Schoonmaker	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	
Mr. Dimmick	Mr. Owen		14

On motion of Mr. Mann,

*Resolved,* That the Commissioners of the Canal Fund are requested to report to the Senate, at their earliest convenience, the general



character and description, and the canals on which the same are to be made, of the "costly improvements," spoken of at page eleven of their annual report, and on which they give it as their opinion that "not less than one hundred thousand dollars will be expended during the current fiscal year," and that they also report the information on which they base their estimate, for such increase of expenditure for repairs, and also what in their opinion or belief will be the cost of completing the "costly improvements" commenced on the completed canals of this State other than the Erie canal and their opinion whether such contemplated "costly improvements" are "ordinary repairs" within the meaning of section one, article seven of the constitution.

On motion of Mr. Upham,

*Resolved*, That the Senate bill No. 99 entitled "An act in relation to the Lewiston railroad company," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the communication of Charles Cook, canal commissioner, be returned by the Clerk to that officer.

Debate was had thereon, when

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Curtis		

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#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Schoonmaker
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

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A message was received from the Assembly informing that they had passed without amendment the bill entitled, "An act to extend the time for the collection of taxes in the town of Poughkeepsie."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to amend 'An act to incorporate the village of Rondout,' passed April 4, 1849."

*Ordered*, That said bill be returned to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act for the incorporation of benevolent, charitable, scientific, and missionary societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to vest certain legislative powers and to prescribe the fees for certain services,' passed April 3, 1849, so far as relates to Monroe co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to prohibit corporations from interposing the defence of usury in any action," which was read the first time, and by unanimous consent was also read the second time.

Mr. Morgan moved to refer said bill to the committee on railroads.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of certain purchasers of lands in the Oneida reservation in 1840 and 1841 and subsequent thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to amend the Revised Statutes in regard to the assessment of taxes on personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the collection of fines and forfeitures in the county of Genesee, and the duties of certain officers in relation thereto," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Lawrence Pickard," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on claims.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Assembly bill No. 204 entitled, "An act for the relief of the Roman Catholic orphan asylum in the city of Brooklyn, be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Curtis offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Senate bill entitled, "An act to incorporate

the Barry Ville and Shehota Delaware bridge company, be referred to a select committee to report.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Skinner offered for the consideration of the Senate, a resolution, in the words following, to wit :

*Resolved*, That the bill to amend the charter of the village of Carthage, be taken from the files and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Brown offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill No. 194 being, "An act to organize a separate battalion in the county of Richmond," be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

On motion of Mr. Miller,

*Resolved*, That Mr. Stone be substituted instead of Mr. Stanton on the claim of W. W. Niles, as owing to the continued absence of Mr. Stanton said committee cannot proceed to discharge their duties.

On motion of Mr. Babcock,

The Senate then adjourned until 10 o'clock to-morrow morning.

## FRIDAY, MARCH 15, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Messrs. Schoonmaker, Colt and Carroll, presented three petitions of inhabitants of Ulster, Livingston and Rensselaer counties for amendment of the excise laws, which were sent to the Assembly under rule.

Mr. Brandreth presented the petition of inhabitants of Westchester co. for a law to compel the New Haven and New-York railroad company to stop their trains at Eastchester, which was referred to the committee on railroads.

Mr. Stone presented the petition of inhabitants of Madison co. for homestead exemption and land limitation, which was referred to the committee on the judiciary.

Mr. Snyder presented the petition of inhabitants of Poughkeepsie

for an amendment of the act to establish a police justice in said village, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of inhabitants of West Troy for a law imposing tolls upon railroads competing with the Champlain canal, which was referred to the committee on finance.

Mr. Babcock presented two petitions of members and stockholders in the mutual insurance companies of Genesee co. for a law to prevent voting for directors of said companies by proxy, which were referred to the committee on banks and insurance companies.

Mr. Colt presented the petition of the clerk of Livingston co. for a law authorising the appointment of a special deputy clerk in said county, which was referred to the committee on the judiciary.

Mr. Colt presented the petition of inhabitants of Livingston co. for a reduction of tolls on foreign salt, which was referred to the manufacture of salt.

Mr. Guinnip presented the petition of inhabitants of Chenango co. for the repeal of the free school law, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to promote the commutation of rents," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Guinnip, from the committee on militia and public defence, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the militia laws," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 14, 1850.*

*To the Senate :*

I have this day approved and signed the bill entitled, "An act to extend the time for the collection of taxes in the town of Poughkeepsie."

HAMILTON FISH.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the New-York juvenile society," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act authorising the appointment of commissioners of deeds for the village of Williamsburgh," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled,

"An act for the relief of Bigham, Stewart & Co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Zebulon Moore," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to secure the payment of wages to laborers employed on the canals and other public works of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend the several acts relating to the village of Medina," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to enable Mary Brown to take, hold and convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of John La Foy and Joshua W. Clemens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act further to amend the charter of the Troy savings bank," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise town clerks to administer oaths in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act authorising the directors of the Macedon and Victor plank road company to change their corporate name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the payment of canal damages to Elias Stilwell," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Benjamin Hook of the city of New-York, rigger, to change his name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to facilitate the construction of the Buffalo and State line railroad," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act providing for the relief of the heirs of John Fort," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on claims.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to authorise the appointment of commissioners to open Division avenue and establish the boundary line between the city of Brooklyn, village of Williamsburgh, and towns of Bushwick and Flatbush."

*Ordered,* That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the speedy disposition of certain suits."

*Ordered,* That the Clerk return said bill to the Assembly.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled, "An act to amend the act for the more effectual prevention of fires in the city of New-York and the amendments thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

In pursuance of previous notice,

Mr. Brandreth asked for and obtained leave to introduce a bill entitled, "An act for the repeal of the charter of the Croton turnpike company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Johnson introduced a bill entitled, "An act to appoint a supreme court commissioner in the village of Cohoes," which was read the first time, and by unanimous consent was also read a second time.

Mr. Johnson moved that said bill be referred to a select committee.

*Ordered,* That Messrs. Johnson, Babcock and Skinner, be said committee.

In pursuance of previous notice,

Mr. Snyder asked for and obtained leave to introduce a bill entitled, "An act concerning the proof of wills, executors and administrators, guardians, and wards, and surrogates' courts, passed May 16, 1837," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Skinner gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled, "An act to vest in the

board of supervisors certain legislative powers and to prescribe their fees for certain services," passed April 3, 1849.

Mr. Crook offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That bill No. 117, authorising the board of supervisors of Clinton county to investigate and audit the claim of George Divoll, be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

The President appointed Messrs. Geddes, Beekman, Mann, Robinson and Snyder, as the select committee of five, appointed under resolution of Mr. Geddes.

The bill entitled, "An act to extend the charter of the Schoharie central bridge company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to amend the charter of the Manhattanville free school in the city of New-York," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

27

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act authorising the mayor, aldermen and commonalty of the city of New-York to raise seventy-five thousand dollars by loan and to fund the same for the erection of a work house," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

26

*Ordered,* That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act appropriating certain moneys received for premium on loans," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Morgan	

26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for the final settlement of the loans of 1792 and 1808, by a transfer to the United States deposit fund, and to abolish the office of loan commissioner," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Curtis	Mr. Owen



Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the Comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the sale of certain pieces of land belonging to the State at Auburn," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Upham
Mr. Cook	Mr. Morgan	Mr. Williams
Mr. Crolius		

22

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill from the Assembly entitled, "An act relating to sales by auction in the city of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Guinnip	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Skinner
Mr. Cook	Mr. Miller	Mr. Snyder
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Dart		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act for the relief of St. Vincent's orphan asylum in the city of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to common schools in the city of Utica," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Skinner

Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Johnson  
Mr. Mann  
Mr. Miller

Mr. Snyder  
Mr. Upham  
Mr. Williams

27

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," and after some time spent thereon, Mr. Snyder, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following bill:

"An act to amend 'An act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy and to regulate the proceedings in taking such property for that purpose,' passed April 6, 1849."

*Ordered*, That said bill do have its third reading.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act licensing steam engineers," and after some time spent thereon, Mr. Miller, from said committee, reported progress, and asked leave to sit again.

Mr. Stone moved that the committee of the whole be discharged from the further consideration of the said bill, and that the same be referred to a select committee consisting of the Senators from the 3d, 4th, 5th and 6th districts.

Mr. Williams moved that said bill be referred to the committee on trade and manufactures.

The President put the question whether the Senate would agree to the said motion of Mr. Williams, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to settle the account of Christopher Adams, late superintendent of repairs on the Erie and Champlain canals, for moneys deposited by him in the Canal bank of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to amend article fifth, title first, chapter sixteenth, part first of the Revised Statute relating to encroachments on highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Commissioners to settle with Hubbard Burdick for work done on the Erie canal," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the payment of canal damages to Henry P. Voorhees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Jacob C. Anthony and Robert Fero," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the Gravesend and Coney Island bridge and road company,' passed March 22, 1823," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the salary of the district attorney in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to establish a free school in district number three in the town of Newtown."

"An act to amend the charter of the village of Astoria in Queens county."

"An act to change the name of Eviena Henley."

"An act to revise and consolidate the laws in relation to the village of Whitehall."

"An act to amend the act incorporating the village of Waterloo."

"An act authorising the appraisal and payment of canal damages to Joseph Ogden."

"An act to amend the charter of the New-York orphan asylum society."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the better repairing of certain roads in the town of Coeymans,' passed December 14, 1847," reported in favor of the passage of the same without amendment.

Mr. Johnson moved said bill be ordered to a third reading.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Stone, from the select committee, to which was referred the bill entitled, "An act to settle and pay the claim of W. W. Niles for the destruction of his property on the Long Island Farms," reported in writing in favor of the passage of the same with amend-

ments, and amended the title so as to read "An act for the relief of William W. Niles."

(See Doc. No. 82.)

Mr. Stone moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the select committee to which was referred the bill entitled, "An act in relation to the fees of county treasurers," reported in favor of the passage of the same with amendments.

The question being on agreeing to the report of said committee.

Debate was had thereon, when pending the question,

The Senate took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

The roll of members being called the following members answered to their names:

Mr. Carroll	Mr. Cross	Mr. Fox	
Mr. Colt	Mr. Dart	Mr. Noyes	
Mr. Crolius	Mr. Dimmick	Mr. Owen	
Mr. Crook			10

A quorum not being in attendance, the President, with the consent of a majority of those present, adjourned the Senate until to-morrow at 10 o'clock.

#### SATURDAY, MARCH 16, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Colt presented three petitions of inhabitants of Livingston county for aid to the Geneseo academy, which were referred to the committee on finance.

Mr. Stanton presented three petitions of inhabitants of Fulton and Livingston counties for a law to prohibit the sale of intoxicating liquors, which were sent to the Assembly under rule.

Mr. Stanton presented two remonstrances of inhabitants of Tompkins county against the repeal of the charter of the Hector and Catherine bridge company, which was referred to the committee of the whole.

Mr. Cross presented the remonstrance of Platt Potter against any amendment of the charter of the village of Herkimer, which was referred to the committee of the whole.

Mr. Stanton presented the petition of the Cayuga and Susquehanna railroad company for the use of a pier in the Cayuga lake, and resolution of the trustees of the village of Ithaca for same, which was referred to the committee on canals.

Mr. Upham presented the petition of the president and company of the eastern branch of the Schoharie turnpike road for a law to alter the route of said road, which was referred to the committee on roads and bridges.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of Lawrence Pickard," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cross moved said bill be made the special order for Thursday next at 4 o'clock.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same passed April 5, 1849," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the several acts relating to the village of Medina," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman from the committee on literature, to which was referred a bill from the Assembly entitled "An act to amend 'An act relating to common schools in the village of Medina,' passed April 9, 1849," reported in favor of the passage of the same without amendments, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was

referred the bill from the Assembly entitled, "An act to authorise the trustees of school district No. 2 in the town of German Flatts to borrow money and to impose a tax for the repayment of the same," reported in favor of the passage of the same, with the title amended to read "An act to authorise the trustees of school district No. 2 in the town of German Flatts to borrow money and to impose a tax for the repayment of the same."

On motion of Mr. Fox and by unanimous consent,

*Ordered*, That said bill do have its third reading.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to common schools in the village of Lockport,' passed March 31, 1847," reported in favor of the passage of the same without amendment.

On motion of Mr. Upham, and by unanimous consent,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising county clerks to appoint special deputies," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise Benjamin Hook, of the city of New-York, rigger, to change his name," reported in favor of the same without amendment which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to enable Mary Brown to take, hold, and convey certain real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges to which was referred the bill entitled, "An act concerning highways," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act authorising the directors of the Macedon and Victor plank road company to change their corporate name," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred a bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Gravesend and Coney Island bridge and road company,' passed March 22, 1823," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Little Falls and Salisbury plank road com-

pany to mortgage their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of canal damages to Whiting Tuttle," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A communication was received and read, in the words following, to wit :

At a meeting of the common council of the city of Albany, held on the 4th day of March, 1850, the following resolutions were adopted :

*Resolved*, That it is the unanimous wish of this board that the bill adopted by the board for supplying the city with water and approved of by a vote of the citizens, should be passed by the present Legislature without material alteration or amendment.

*Resolved*, That the clerk of this board transmit a copy of the above resolution to the Legislature.

(Copy.)

L. D. HOLSTEIN,  
*Clerk of common council.*

The President laid before the Senate a communication from the canal commissioners in answer to a resolution of the Senate of February 12, in relation to the enlargement of the canals other than the Erie canal.

(See Doc. No. 83.)

Mr. Dimmick moved that 5 times the usual number of said report be printed.

*Ordered*, That said motion be referred to the committee on public printing.

In pursuance of previous notice,

Mr. Skinner asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act to vest in the board of supervisors certain legislative powers and to prescribe their fees for certain services,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill No. 150 in relation to the recorder's court of the city of Buffalo, be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to common schools in the village of Lockport,' passed March 31, 1847," was read a third time and pass-



ed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Cross	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Robinson	Mr. Upham
Mr. Dart	Mr. Schoonmaker	Mr. Williams

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the trustees of school district No. 2 in the town of German Flatts to borrow money," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Curtis	Mr. Schoonmaker	Mr. Williams
Mr. Dart	Mr. Skinner	

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported the bill entitled, "An act to repeal an act to revise and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The Senate proceeded to the consideration of the report of the select committee on the bill entitled, "An act in relation to the fees of county treasurers."

The question being on agreeing to the report of the select committee.

Mr. Cook moved said bill be recommitted to said select committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the appraisal and payment of canal damages to Jerome B. Ransom," and after some time spent thereon, Mr. Tuttle, from said committee, reported in favor of the passage of the same with amendments.

Mr. Cook moved to amend the report of the committee of the whole so that section one, will read as follows :

§ 1. The canal board are hereby authorised and required to hear and examine the claim of Jerome B. Ransom and ascertain and allow the amount of extra work and expense performed and incurred by him in the construction and completion of so much of the Erie canal enlargement as consists of the Main and Hamburg street canal, in Buffalo, caused by his being required by the engineers and officers of the state, in charge of the work, to build extra cofferdams between Main and Chicago streets, and by the flooding of the work in July, one thousand eight hundred and forty-nine, occasioned by the cutting open of the coffer dam by direction of the engineer in charge, in pursuance of an order of the board of health of the city of Buffalo.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Schoonmaker	
Mr. Cook	Mr. Fox	Mr. Williams	
Mr. Crook	Mr. Owen		8

FOR THE NEGATIVE.

Mr. Colt	Mr. Miller	Mr. Stanton	
Mr. Cross	Mr. Noyes	Mr. Stone	
Mr. Curtis	Mr. Robinson	Mr. Tuttle	
Mr. Dimmick	Mr. Skinner	Mr. Upham	
Mr. Guinnip	Mr. Snyder		14

Mr. Schoonmaker moved to amend the report of the committee of the whole, by striking out the enacting clause of the bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Cook	Mr. Dart	Mr. Williams	
Mr. Crook	Mr. Schoonmaker		5

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Cross	Mr. Noyes	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Dimmick	Mr. Robinson	Mr. Upham

18

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Miller offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee on canals inquire and report to the Senate whether the interest of the State requires that the enlargement of the Erie canal from Buffalo to Montezuma be completed before the construction of a new line of enlarged canal and enlarged locks between Syracuse and Oswego, and whether the prosecution of the work of constructing the said enlarged canal and locks between Syracuse and Oswego, will delay the completion of the enlargement of the Erie canal.

Mr. Cook moved said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to incorporate the Albany city Savings institution."

"An act to incorporate the Hudson city Savings institution."

"An act to authorise the formation of Savings institutions."

And after some time spent thereon, Mr. Dart, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Stone offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill No. 162 entitled, "An act to incorporate the Oswego Dry Dock and Marine railway," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

On motion of Mr. Skinner,

*Resolved*, That the bill entitled, "An act to supply the Black river canal with water, by daming the lakes at the head of Black, Moose, and Beaver rivers," be referred to the same committee of the whole having in charge the Brooklyn charter bill.

Mr. Beekman moved that the committee of the whole be discharged from the further consideration of the bill entitled, "An act to repeal an act providing for the registry of births, deaths and marriages," and that the same be referred to the committee on medical societies and colleges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Elizabeth Granger, Warren Granger, and James N. Granger," and after some time spent thereon, Mr. Skinner, from said committee, reported progress and asked and obtained leave to sit again.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 16, 1850. }*

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to authorise the Delaware plank road company to change the location of a portion of their road."

HAMILTON FISH.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the trustees of the several school districts in the county of Erie out of the city of Buffalo to appropriate a portion of the money to the purchase of agricultural periodicals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the village of Rome," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the missionary societies of the Methodist Episcopal church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to provide for a supply of water in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain real estate, of which James Fox, died, seised to Michael Fox and his assigns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Patrick Higgins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate firemen of the village of Williamsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to legalize the acts of William McCracken in the conveyance of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message was received from the Assembly informing that they had passed without amendment the bill entitled, "An act relating to the harbor masters of the port of New-York."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal the charter of the Hector and Catharine road and bridge company," and after some time spent thereon, Mr. Stone, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land in New Utrecht," and after some time spent thereon, Mr. Guinnip, from said committee, reported in favor of the passage of the same with amendments.

Mr. Stone moved the report of the committee of the whole be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Guinnip,

The Senate then adjourned until 10 o'clock on Monday morning.

## MONDAY, MARCH 18, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of Saturday was read and approved.

Mr. Geddes presented the petition of trustees of the village of Fayetteville for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Miller presented the petition of inhabitants of Rochester for a law to exempt the town of Irondequoit from the penalties of the

statute against horse racing, which was referred to the committee on the incorporation of cities and villages.

Mr. Stanton presented the petition of the yearly meeting of congregational friends for the repeal of the laws authorising capital punishment, which was referred to the committee on the judiciary.

Mr. Brown presented the petition of inhabitants of Queens co. for the repeal of the free school law, which was committed to the committee of the whole.

Mr. Tuttle presented the remonstrance of inhabitants of Schoharie co. against changing the shape of the eastern ten miles of the Schoharie turnpike road, which was referred to the committee on roads and bridges.

Mr. Robinson presented the petition of inhabitants of Allegany co. for a law to prevent the sale of intoxicating drinks, which was sent to the Assembly under rule.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to extend the exemption of household furniture and working tools from distress from rent and sale under execution,' passed April 17, 1842," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to exempt from execution the homestead of a householder having a family," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bills from the Assembly entitled as follows:

"An act to incorporate the Oswego hospital."

"An act to incorporate the Onondaga hospital."

"An act to incorporate the Buffalo hospital," reported in favor of the passage of the same severally without amendment, which were committed to the committee of the whole.

Mr. Robinson, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to amend the act for the incorporation of benevolent, charitable, scientific, and missionary societies," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Geddes from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act to facilitate the construction of the Buffalo and State line railroad," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Schoonmaker from the committee on the judiciary, to which was referred the bill entitled, "An act to make the office of health officer and deputy health officer of the port of New-York salary offices," reported in favor of the constitutionality of said bill.

Mr. Williams moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to provide for the appraisal and payment of canal damages to Oliver Barker."

"An act to provide for the appraisal and payment of canal damages to Jerome B. Ransom."

"An act to amend 'An act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy, and to regulate the proceedings in taking such property for that purpose,' passed April 6, 1840."

*Ordered*, That said bills do have their third reading.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 15, 1850.* }

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to authorise the appointment of commissioners to open division avenue and to establish the boundary line between the city of Brooklyn, village of Williamsburgh, and towns of Bushwick and Flatbush."

HAMILTON FISH.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 16, 1850.* }

*To the Senate:*

I have this day approved and signed the following bills:

"An act to revise and consolidate the laws in relation to the village of Whitehall."

"An act to establish a free school in district number three in the town of Newtown."

"An act to authorise the appraisal and payment of canal damages to Joseph Ogden."

"An act to amend the charter of the village of Astoria in Queens county."

"An act to amend the act incorporating the village of Waterloo."

"An act to change the name of Evelina Henley."

"An act to amend the charter of the New-York orphan asylum society."

"An act in relation to the harbor masters of the port of New-York."

HAMILTON FISH.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments of the Assembly, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Johnson	Mr. Snyder
Mr. Brown	Mr. Miller	Mr. Stanton
Mr. Carroll	Mr. Morgan	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Upham
Mr. Geddes	Mr. Robinson	Mr. Williams
Mr. Guinnip	Mr. Schoonmaker	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the fees of sheriffs in certain cases and to the return by them of executions by mail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Robinson asked for and obtained leave to introduce a bill entitled, "An act to confirm the proceedings of the board of supervisors of Allegany county," which was read the first time, and by unanimous consent was also read a second time.

Mr. Robinson moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Geddes offered for the consideration of the Senate, a resolution, in the words following, to wit:

*Resolved*, That the bill to amend the acts incorporating the city of Syracuse, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

By unanimous consent,

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to enable Mary Brown to take, hold and convey certain real estate," and that the same be ordered to a third reading.



By unanimous consent,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Owen offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That our Senators in Congress be instructed and our Representatives requested to use their exertions to procure the passage of laws to improve the Alleghany river for steam navigation, from the city of Pittsburgh, Pennsylvania, to Olean, in the State of New-York.

Mr. Owen moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Stanton,

*Resolved*, That the committee on charitable and religious societies be discharged from the further consideration of the bill from the Assembly entitled, "An act to incorporate the New-York juvenile asylum," and that it be referred to a select committee consisting of the Senators from the 3d, 4th, 5th and 6th districts.

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly entitled, "An act to enable the supervisors of the city and county of New-York to raise money by tax," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly authorising the procurement of a library for the Attorney General, be ordered to a third reading.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Senate bill No. 126, to repeal certain parts of the Revised Statutes exempting the property of ministers of the gospel from taxation, and Senate bill No. 178, being "An act in relation to the publication of notices previous to the conveyance of land sold for taxes," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Miller offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill for the relief of W. W. Niles be taken from the table and restored to its place on the general orders.

Mr. Babcock moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Curtis	Mr. Miller	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Williams
Mr. Dimmick		

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## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Brown	Mr. Johnson	Mr. Tuttle

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The bill entitled, "An act to amend 'An act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy, and to regulate the proceedings in taking such property for that purpose,' passed April 6, 1840," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Johnson	Mr. Schoonmaker
Mr. Carroll	Mr. Mann	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Crook	Mr. Morgan	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Owen	Mr. Upham
Mr. Dimmick	Mr. Robinson	Mr. Williams

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*Ordered.* That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill from the Assembly entitled, "An act to enable Mary Brown to take, hold and convey certain real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Guinnip	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Tuttle

Mr. Curtis	Mr. Noyes	Mr. Upham	
Mr. Dart	Mr. Owen	Mr. Williams	
Mr. Dimmick	Mr. Robinson		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act for the appraisal and payment of canal damages to Jerome B. Ransom," being upon its third reading,

Mr. Schoonmaker moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Schoonmaker then moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Colt	Mr. Dart	Mr. Schoonmaker	
Mr. Curtis	Mr. Morgan	Mr. Williams	6

FOR THE NEGATIVE.

Mr. Babcock	Mr. Miller	Mr. Stanton	
Mr. Brown	Mr. Noyes	Mr. Stone	
Mr. Dimmick	Mr. Owen	Mr. Tuttle	
Mr. Guinnip	Mr. Robinson	Mr. Upham	
Mr. Johnson			13

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Guinnip	Mr. Snyder	
Mr. Brown	Mr. Johnson	Mr. Stanton	
Mr. Colt	Mr. Miller	Mr. Stone	
Mr. Crook	Mr. Noyes	Mr. Tuttle	
Mr. Curtis	Mr. Owen	Mr. Upham	
Mr. Dimmick	Mr. Robinson		14

FOR THE NEGATIVE.

Mr. Dart	Mr. Schoonmaker	Mr. Williams	3
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to incorporate the Albany city savings institution."

"An act to incorporate the Hudson city savings institution."

"An act to authorise the formation of savings institutions."

"An act for the removal of rocks from the bed of Indian river."

And after some time spent on said bills, Mr. Dart, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appraisal and payment of canal damages to Elizabeth Granger, Warren Granger and Elizabeth A. Granger," and after some time spent thereon, Mr. Stone, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal the charter of the Hector and Catherine turnpike road and bridge company," and after some time spent thereon, Mr. Stone, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," and after some time spent thereon, Mr. Crook, from said committee, reported in favor of the passage of the same with amendments.

Mr. Schoonmaker moved to amend the first section of said bill so as to read as originally reported by the committee on claims.

The President put the question whether the Senate would agree to the said amendment of Mr. Schoonmaker, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Robinson	Mr. Williams
Mr. Crook	Mr. Schoonmaker	

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#### FOR THE NEGATIVE.

Mr. Carroll	Mr. Mann	Mr. Skinner
Mr. Dimmick	Mr. Noyes	Mr. Stanton
Mr. Guinnip	Mr. Owen	Mr. Stone

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The President then put the question whether the Senate would agree to the report of the committee of the whole as amended, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act to explain and extend the powers and duties of the governors of the

alms house of the city and county of New-York," and after some time spent thereon, Mr. Colt, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York," and after some time spent thereon, Mr. Colt, from said committee, reported in favor of the passage of the same with amendments.

Mr. Williams moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion of Mr. Williams, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay the Syracuse coarse salt company for land taken to abate a nuisance," and after some time spent thereon, Mr. Curtis, from said committee, reported that the committee had stricken out the enacting clause of said bill.

The President put the question whether the Senate would agree to the report of the committee of the whole on said bill, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crook	Mr. Morgan	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Robinson	

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#### FOR THE NEGATIVE.

Mr. Johnson

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The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the appraisal and payment of canal damages to Mathew Sayre," and after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to authorise the trustees of school district No. 2 in the town of German Flatts to borrow money and to impose a tax for the payment of the same."

On motion of Mr. Skinner,

The Senate then adjourned until 10 o'clock to-morrow morning.

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TUESDAY, MARCH 19, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Dart presented two petitions of inhabitants of St. Lawrence county for aid to the Gouverneur Wesleyan seminary, which was referred to the committee on finance.

Mr. Schoonmaker and Noyes presented three petitions of inhabitants of Ulster and Chenango county for the repeal of the free school law, which was committed to the committee of the whole.

Mr. Dart presented the petition of inhabitants of St. Lawrence county for a law that highway taxes assessed upon townships one and two &c. in the great tract, may be expended on roads in said townships, which was referred to the committee on roads and bridges.

Mr. Skinner presented the petition of inhabitants of Brownville for a law allowing the commissioners of highways in said town to borrow money, which was referred to the committee on roads and bridges.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to secure the payment of wages to laborers employed on the canals and other public works of this State," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Owen, from the committee on Indian affairs, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the commissioners of the land office to hear and determine the claim of Henry Jordan for services rendered the State as interpreter for the Oneida Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Dart from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act for the relief of the creditors of the Lockport and Niagara Falls railroad company," re-

ported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend 'An act concerning the proof of wills, executors, and administrators, guardians, and wards and surrogates' courts," passed May 16, 1837," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of citizens of the village of Poughkeepsie for an alteration of an act to establish a police justice in said village, reported adverse to the prayer of the petitioners, and offered the following resolution, to wit:

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which James Fox, died, seised to Michael Fox and his assigns," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise town clerks to administer oaths in certain cases," reported adverse to the passage of the same which was committed to the committee of the whole.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to legalize the acts of William McCracken in the conveyance of real estate," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising the appointment of commissioners of deeds for the village of Williamsburgh," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges to which was referred the bill entitled, "An act for the repeal of the charter of the Croton turnpike company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act for the improvement of Rackett river and the tributaries thereof," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Carroll, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to provide for a supply of water in the city of Al-

bany," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend 'An act to vest in the boards of supervisors certain legislative powers and to prescribe their fees for certain services,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to vest certain legislative powers and to prescribe the fees for certain services,' passed April 3, 1849," so far as the same relates to the county of Monroe," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to amend the Revised Statutes in regard to the assessment of taxes on personal estate," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to regulate the salary of the district attorney of the county of Rockland," also, the bill from the Assembly entitled, "An act to regulate the salary of the district attorney in the county of Rockland," reported said bills for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on Hudson river, to Cohecton on the Delaware river,'" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Schoonmaker, from the select committee, to which was referred the bill entitled, "An act for the relief of tenants holding lands under perpetual leases in this State," reported the same complete with amendments, and the title amended so as to read "An act for the relief of tenants and to authorise a stay of proceedings in certain cases."

Mr. Johnson moved that said bill be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes, from the select committee of five, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows:

"An act for the relief of the Roman catholic orphan asylum in the city of Brooklyn," to Messrs. Cross, Crook and Owen.



"An act organising a separate battalion in the county of Richmond," to Messrs. Brown, Curtis and Johnson.

"An act to authorise the board of supervisors of Clinton county to investigate and adjust certain claims of George Divoll and others," to Messrs. Crook, Crolius and Noyes.

"An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849," to Messrs. Geddes, Noyes and Robinson.

"An act in relation to the Lewiston railroad company," to Messrs. Babcock, Miller and Brown.

"An act to incorporate the Oswego dry dock and marine railroad company," to Messrs. Stone, Tuttle and Crolius.

"An act to confirm the proceedings of the board of supervisors of Allegany county," to Messrs. Robinson, Colt and Schoonmaker.

"An act in relation to the publication of notices previous to the conveyance of land sold for taxes," to Messrs. Babcock, Schoonmaker and Mann.

"An act to repeal certain parts of the Revised Statutes exempting the property of ministers of the gospel from taxation."

"An act to amend the charter of the village of Carthage," to Messrs. Skinner, Cross and Noyes.

"An act to make the offices of health officer and deputy health officer of the port of New-York, salary offices."

The President put the question whether the Senate would agree to the report of the committee on said last mentioned bill, and it was decided in the negative.

"An act in relation to the recorder's court of the city of Buffalo," to Messrs. Babcock, Tuttle and Schoonmaker.

The committee also reported that in their judgment the following bills, to them referred, should be considered in committee of the whole :

"An act to incorporate the Barryville and Shehola Delaware bridge company."

Mr. Geddes moved said bill be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

"An act to amend 'An act to provide for the better repairing certain roads in the town of Coeymans,' passed December 14, 1847."

"An act to procure a law library for the office of the Attorney General."

"An act to enable the supervisors of the city and county of New-York to raise money by tax."

Mr. Morgan moved that said last mentioned bill be referred to a select committee of three.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Morgan, Cross and Williams, be said committee.

Mr. Babcock, from the select committee, to which was referred

the bill entitled, "An act in relation to the fees of county treasurers," reported the same complete with amendments, and the title altered to read "An act in relation to the fees of the county treasurer of Erie county."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the said bill be engrossed for a third reading.

Mr. Mann gave notice that he would, at a future day, ask leave to introduce a bill "to settle the controversies existing between the State of New-York and certain occupants and claimants of land, and to confirm the title to said lands."

Mr. Mann gave notice that, at an early day, he would ask leave to introduce a bill to amend the general insurance law.

In pursuance of previous notice,

Mr. Mann asked for and obtained leave to introduce a bill entitled, "An act to amend an act to provide for the publication of the reports of the court of appeals," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Robinson gave notice that he would, at an early day, ask leave to introduce a bill to authorise the comptroller to loan ten thousand dollars, belonging to the common school fund, to the town of Alfred, Allegany county, for the benefit of Alfred Academy.

Mr. Crolius gave notice that, at some future day, he would introduce a bill to regulate the erection, hereafter, of steam engines in manufacturing and other establishments in the city and county of New-York.

Mr. Crook gave notice that he would, at an early day, leave to introduce a bill to amend the act amendatory of an act incorporating the village of Plattsburgh.

On motion of Mr. Dart,

*Resolved*, That the Assembly bill No 162, for the improvement of Racket river, be made a special order for Friday next at 12 o'clock noon.

On motion of Mr. Johnson,

*Resolved*, That the committee on claims be discharged from the further consideration of the engrossed bill from the Assembly entitled, "An act to provide for the payment of canal damages to Henry P. Voorhiese," and that the same be referred to the committee on canals

On motion of Mr. Colt,

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill entitled, "An act to amend an act to vest in the board of supervisors certain legislative powers," and that the same be referred to a committee of the whole.

On motion of Mr. Carroll,

*Resolved*, That the Senate bill No. 153, in relation to the Schenectady and Troy railroad, be referred to the same committee of the whole having in charge the bill relating to the Troy hospital.

On motion of Mr. Cook,

*Resolved*, That the bills relative to the taxation of real and personal property be made the special order after executive session to-day.

Mr. Stone moved that the Senate reconsider its vote agreeing to the report of the committee of the whole on the bill entitled, "An act authorising the appraisal and payment of canal damages to Charles Ehle."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The question being on agreeing to the report of the committee of the whole.

Mr. Stone moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Babcock,

*Resolved*, That the bill authorising the appraisal of canal damages to Elizabeth Granger and others, and the accompanying papers, be referred to the canal board for their opinion and report whether the petitioners have any legal or equitable claim to the relief asked.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act authorising the canal commissioners to build a bridge across the canal at Genesee street in the city of Buffalo," and "An act for the relief of Lawrence Pickard," and "An act to facilitate the construction of the Buffalo and State line railroad," be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the act to grant to the heirs of James Lumbard, the right of the people to the property of Amasa Kelson, and the bill to enable Mary Robertson and others, aliens to hold real estate, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Curtis offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill entitled, "An act to amend the charter of the Newburgh and Cohecton turnpike," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Geddes offered for the consideration of the Senate, a resolution, in the words following, to wit :

*Resolved*, That the bill entitled, "An act to condense and amend the several acts relating to the village of Skaneateles," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Skinner offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act to amend 'An act to vest in the board of supervisors certain legislative powers and to prescribe their fees for certain services,' passed April 3, 1849," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Albany water bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to a select committee of five.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill for the relief of the Lockport and Niagara Falls railroad company, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

The bill entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Schoonmaker	Mr. Williams
Mr. Dimmick		

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FOR THE NEGATIVE.

Mr. Curtis	Mr. Mann
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to incorporate the Albany city savings institution."

"An act to incorporate the Hudson city savings institution."

"An act to authorise the formation of savings banks."

"An act to authorise Norris W. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river."

And after some time spent thereon, Mr. Dimmick, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That in the judgment of this Legislature the objects to be attained by the creation of savings institutions can be attained under a general law.

*Ordered*, That the said resolution be laid upon the table.

The Senate then proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled :

"An act to amend the Revised Statutes in relation to assessors reviewing assessment rolls and fixing the time of their meeting."

"An act to amend the law for the assessment and collection of taxes."

"An act in relation to the powers and duties of assessors."

And after some time spent thereon, Mr. Owen, from said committee reported progress on said bills, and asked for and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

The President laid before the Senate a communication from the trustees of the united society of Shakers in the town of Watervliet, Albany county in answer to a resolution of the Senate, which was laid on the table.

The President laid before the Senate a communication from the united society of Shakers at New Lebanon, Columbia county, in answer to a resolution of the Senate, which was laid on the table.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend the Revised Statutes in relation to assessors reviewing assessment rolls and fixing the time of their meeting."

"An act to amend the law for the assessment and collection of taxes."

"An act in relation to the powers and duties of assessors."

And after some time spent thereon, Mr. Owen, from said committee, reported progress on said bills, and asked leave to sit again.

Mr. Colt moved that the further consideration of said bills be indefinitely postponed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question on granting leave to said committee to sit again, which was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Thistle benevolent association of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Oneida lake and river steam boat company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the holding of courts of sessions without the attendance of a grand jury in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message was received from the Assembly, informing that they had passed, without amendment the bill entitled, "An act to amend the charter of the village of Newburgh."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Curtis,

The Senate then adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, MARCH 20, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Messrs. Mann, Brown and Stone, presented four petitions of inhabitants of Oneida, Madison and Richmond counties for the repeal

of the free school law, which were referred to the committee of the whole.

Mr. Cross presented the petition of the Cemetery of the Evergreens for power to purchase and hold land in Queens co., which was referred to the committee on charitable and religious societies.

Mr. Mann presented the petition of inhabitants of Utica for a bridge over the Chenango canal at Garden street, which was referred to the committee on canals.

Mr. Crook presented the petition of the trustees of the village of Plattsburgh for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Stone presented the petition of inhabitants of Madison co. for provision for the education of destitute children, which was referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

Mr. Babcock presented the petition of inhabitants of Buffalo for the passage of a general railroad law, which was laid on the table.

Mr. Stanton presented the petition of citizens of Ontario and Seneca counties for the improvement of the road at the foot of and over Seneca lake, which was referred to the committee on canals.

Mr. Mann presented the petition of the holders of stock of the Deerfield McAdam road for a law allowing them to plank their road, which was referred to the committee on roads and bridges.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the charter of the village of Rome," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to alter the commissioners' map of the city of Brooklyn," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of the city of Auburn," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to incorporate the firemen of the village of Williamsburgh," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend 'An act to incorporate the village of Fayetteville,'" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Geddes moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act making an appropriation for the support in part of certain hospitals," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the petition of the board of education of the city of New-York for an appropriation of \$15,000 for the library of the free academy in said city, reported in writing adverse to the prayer of the petitioners, and offered the following resolution:

*Resolved*, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 90.)

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Mann moved that five times the usual number of said report be printed.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Williams, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the New-York and Virginia steamship company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Curtis, from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to amend the charter of the citizen's fire insurance company," reported in favor of the passage of the same without amendment.

Mr. Cross moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act to provide for the publication of the reports of the court of appeals," reported in favor of the passage of the same without amendment.

Mr. Mann moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of five.

Mr. Beach, from the committee on public printing, to which was referred the motion to print an extra number of the report of the committee on finance on the petition of the free academy of New-



York for an appropriation of \$15,000, reported the following resolution :

*Resolved*, That five times the usual number of said report be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to incorporate the Barryville and Shehola Delaware bridge company," reported in favor of the constitutionality of said bill.

On motion of Mr. Curtis, and by unanimous consent,

Said bill was ordered referred to a select committee to report complete.

*Ordered*, That Messrs. Curtis, Snyder and Schoonmaker, be said committee.

Mr. Mann from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to release the restrictions and conditions in a grant made by letters patent to Abraham Varick," reported in favor of the constitutionality of said bill.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Owen, from the committee on Indian affairs, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Cayuga nation of Indians to purchase lands in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Owen, from a majority of the committee on Indian affairs, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable the Seneca nation of Indians to determine their form of government," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cross, from the select committee to which was referred the bill from the Assembly entitled, "An act for the relief of the Roman Catholic orphan asylum in the city of Brooklyn," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled, "An act in relation to the recorder's court of the city of Buffalo," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee to which was referred the bill entitled, "An act in relation to the Lewiston railroad company," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Skinner, from the select committee to which was referred the

bill entitled, "An act to amend the charter of the village of Carthage," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robinson, from the select committee to which was referred the bill entitled, "An act to confirm the proceedings of the board of supervisors of Allegany county," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Brown, from the select committee, to which was referred the bill from the Assembly entitled, "An act to organise a separate battalion in the county of Richmond," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Crook, from the select committee to which was referred the bill entitled, "An act to authorise the board of supervisors of Clinton county to investigate and adjust certain claims of George Divoll and others," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the select committee to which was referred the bill from the Assembly entitled, "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act in relation to the fees of the treasurer of Erie county."

"An act to authorise the appraisal and payment of canal damages to Mathew Sayre."

*Ordered,* That said bills do have their third reading.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Board to hear and determine the claim of William Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Ethelinda Deall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Albert Lowry, his heirs and assigns, to erect and maintain a dock in the town of Mount Pleasant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of canal damages to William H. Burnett," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act declaratory of the jurisdiction and authority of the trustees of the village of Lyons over the public square in said village, and establishing such jurisdiction and authority," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Captain Titus Feliz Gazynski, late of the first regiment of the New-York volunteers for raising, boarding and drilling troops of said regiment previous to their being mustered into the service of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

The President laid before the Senate a communication from the Canal Board in answer to a resolution of the Senate, and on the petition of Jared B. Moss, which was referred to the committee on claims.

(See Doc. No. 86.)

In pursuance of previous notice,

Mr. Mann asked for and obtained leave to introduce a bill entitled, "An act to settle the controversies existing between the State of New-York and certain occupants and claimants of land and to confirm the title to said lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Crook asked for and obtained leave to introduce a bill entitled, "An act to amend 'An act incorporating the village of Plattsburgh,' and the acts amending the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Mann asked for and obtained leave to introduce a bill entitled, "An act to amend the act to provide for the incorporation of insurance companies, passed April 10, 1849," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Carroll offered for the consideration of the Senate, the following preamble and resolution, to wit:

*Whereas*, The supreme court of the State of New-York has recently made a decision that the reservations of quarter sales, or fines of alienation, contained in the leases to many of the tenants upon certain manorial lands in this State, and the amount of money collected without authority in such cases, is represented to be very large; and

*Whereas*, Large numbers of such tenants are praying the Legislature for relief, and it is important to a correct understanding, and to proper action on the subject, that reliable information should be had as to the extent of such payments; therefore

*Resolved*, That a select committee be appointed, whose duty it shall be to inquire diligently into the amount of money paid by the tenants upon the manor of Rensselaerwick, the Livingston manor, and such other manor or manors as may be deemed proper points of inquiry, on account of quarter sales or other fines of alienation; that said committee have power to sit during the recess of the Senate, and to send for persons and papers; provided said committee shall report to the Legislature early in its next session, the result of its investigations, and also upon the general condition of such manorial districts as it shall have occasion to visit, but said committee shall have no charges for expenses against the State.

Mr. Snyder moved that said resolution and the letter accompanying the same, be laid on the table and printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Dart,

*Resolved*, That the bill declaring Racket river a public highway, be referred to the same committee of the whole having in charge an act making an appropriation to improve Racket river.

On motion of Mr. Skinner,

*Resolved*, That the bill to authorise the sale of certain arsenals and other property and to provide for the safe keeping of the arms and property belonging to the State, be made the special order of the day for Monday next at 12 o'clock.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Assembly bill No. 18, entitled "An act to confirm the title to a lot of land conveyed to and by Patrick McGovern," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

On motion of Mr. Johnson,

*Resolved*, That the committee on claims be discharged from the further consideration of the bill entitled, "An act for the relief of Zebulon Moore," and that the same be referred to the committee on canals.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to incorporate the New-York hotel company," and that the same be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Fox offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill to amend the charter of the village of Herkimer, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Colt, offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill vesting in the boards of supervisors additional powers in relation to fixing the time for the collection of taxes, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Crolius offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill in relation to the repeal of the law for laying out a road through the town of Yorktown, be taken from the committee of the whole and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Assembly bill No. 57, entitled "An act to amend the Revised Statutes in regard to the assessment of taxes on personal estate," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act to amend the act entitled, 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,'" be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill entitled, "An act for the protection of banks receiving deposits from married women," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Carroll offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the act to amend the act relating to common schools in the village of Medina, passed April 9, 1848, be taken from the committee of the whole and ordered to a third reading.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Brown offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill No. 171, being "An act authorising Mary Ann Skiddy to hold real estate," be taken from the files and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill in relation to building a bridge across the Oneida river at Oak Orchard, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Snyder offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill entitled, "An act in relation to documentary evidence," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of five.

Mr. Stanton moved that the Senate proceed to the consideration of the bill entitled, "An act authorising the appraisal and payment of canal damages to Charles Ehle," and the question being on agreeing to the report of the committee of the whole,

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Stanton moved that said bill be recommitted to the committee of the whole having in charge the savings bank bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Babcock,

The Senate proceeded to the consideration of the report of the committee on literature, on the subject of postage.

The question being upon agreeing to the resolutions of the committee on literature, as follows :

*Resolved*, (if the Assembly concur,) That our Senators in Congress are hereby instructed, and our Representatives requested, to use their best efforts to secure the passage of an act establishing a uniform rate of postage throughout the United States of two cents on all letters weighing half an ounce, if pre-paid, or four cents for each half ounce if not pre-paid : Also, (for the purpose of more satisfactorily testing the practicability of such a reduction of the postage rates,) to use their best efforts to secure by further enactment, the keeping of a distinct account of all matter allowed to pass through the mails free of postage, and to make the same, except such as shall relate to the business of the post office department, a charge, at the rates of other mail matter, upon the treasury of the United States : Also, to use their best exertions, by further enactment, to provide for the conveyance by mail, postage free, of all regular newspapers in the United States, within the counties in which they are printed and published.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward copies of the foregoing resolution, to each of our Senators and Representatives in Congress.

Mr. Babcock moved to amend said report by substituting the following for said resolutions :

*Resolved*, (if the Assembly concur,) That it be recommended to the Senators and Representatives of the State of New-York in Congress of the United States, to use their best efforts to procure the passage of a law during the present session of Congress which shall reduce the postage chargeable on all letters, not exceeding half an ounce in weight, carried in the United States mail, for all distances within the United States and the territories thereof, to five cents, and for any additional weight, to five cents for each half ounce, or for any fraction less than half an ounce ; and in case of prepayment at the post-office where such letters are deposited, such postage to be further reduced to two cents for each half ounce in weight, and to two cents additional for each additional half ounce and fraction less than half an ounce.

*Resolved*, (if the Assembly concur,) That it is unjust and inexpedient that the expenses of unproductive mail routes, of free letters and documents, of dead letters, and the excess of the cost of transporting in the mails, newspapers and pamphlets beyond the postage charged on them, should be borne solely by those who send and receive letters ; that such service is for the benefit of the whole people, and its expense should be defrayed from the common treasury, if the revenues of the post-office department under a reduced rate of postage, should prove insufficient ; and that said Senators and Representatives be requested to use their best efforts for an early removal of this oppressive and unequal tax upon the business and social relations of the people.

*Resolved*, (if the Assembly concur,) That our Senators and Representatives, in Congress be requested to recommend the adoption of a law making newspaper postage free in each county where the same are printed.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward copies of the foregoing resolution, to each of our Senators and Representatives in Congress.

The President put the question whether the Senate would agree to the amendment of Mr. Babcock, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolutions to the Assembly and request their concurrence therein.

On motion of Mr. Schoonmaker,

The Senate proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

*Whereas*, The following amendment to the constitution of this State, was at the last session of the Legislature, proposed in the

Senate, viz: "In case of the impeachment of the Governor, or his removal from office, death, or inability to discharge the powers and duties of said office; resignation or absence from the State, the powers and duties of the office shall devolve on the Lieutenant Governor for the residue of the term or until the disability shall cease; or if there shall be a vacancy in the office of Lieutenant Governor, or if the Lieutenant Governor be under impeachment, or be absent from the State or incapable of performing the duties of his office, then the powers and duties of the office of Governor shall devolve upon the President of the Senate; or if there be no President of the Senate at the time, then upon the Speaker of the Assembly, for the residue of the term of said Governor, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of a military force, he shall continue commander-in-chief of all the military force in the State."

*And whereas*, The said proposed amendment was then agreed to by a majority of the members elected to each of the two houses, and was entered upon the journals with the ayes and nays taken thereon, and referred to the Legislature then to be chosen "at the next general election of Senators"

*And whereas*, The said proposed amendment has been duly published three months previous to the time of making such choice.

*Resolved*, That the Senate do agree to the said proposed amendment.

The President put the question whether the Senate would agree to the said amendment and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Williams

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*Ordered*, That the Clerk deliver said amendment to the Assembly and request their concurrence therein.

Mr. Miller moved that the Senate proceed to the consideration of the resolution heretofore offered by him relating to the establishing an agricultural bureau, in the department of the interior at Washington.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act to enable the board



of supervisors of the city and county of New-York to raise money by tax," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to release the restrictions in a grant of land by letters patent to Abraham Varick," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to organize a separate battalion in the county of Richmond," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker

Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act relating to the fees of the county treasurer of Erie county," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross		

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act to incorporate the Albany city savings institutions."

"An act to incorporate the Hudson city savings institution."

"An act authorising the formation of savings banks."

"An act to authorise Norris M. Woodruff and Samuel Stocking to remove a certain ledge of rocks from the bed of Indian river."

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

And after some time spent on said bills, Mr. Crook, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

## 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act to incorporate the Albany city savings institution."

"An act to incorporate the Hudson city savings institution."

"An act to authorise the formation of savings banks."

"An act to authorise Norris W. Woodruff and Samuel Stocking to remove a certain ledge of rocks in the bed of Indian river."

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

And after some time spent thereon, Mr. Crook, from said committee, reported progress on the three first mentioned bills, and asked for and obtained leave to sit again.

Mr. Crook, from the same committee, reported said fifth mentioned bill to the Senate with amendment.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Crook, from the same committee, reported progress on said fourth mentioned bill, and asked leave to sit again.

Mr. Dart moved said bill be referred to a select committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Skinner moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Skinner, Stanton, and Miller be such committee.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to provide for the assessment and collection of taxes in the city of Albany."

*Ordered*, That said bill be returned to the Assembly.

On motion of Mr. Stone,

The Senate then adjourned until 10 o'clock to-morrow morning.

THURSDAY, MARCH 21, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of yesterday was read and approved.

Mr. Carroll presented the petition of citizens of Waterford for an appropriation to the Troy hospital, which was committed to the committee of the whole.

Mr. Owen presented the petition of inhabitants of Cattaraugus co. for the establishment of boarding schools among the Indians of this State, which was referred to the committee on literature.

Mr. Colt presented the resolutions of a public meeting in relation to a road at the foot of Seneca lake, which was referred to the committee on canals.

Mr. Babcock presented the petition of forwarders of the city of Buffalo against double wharfage in the city of Albany, which was referred to the committee on commerce and navigation.

Mr. Cross presented the petition of inhabitants of Williamsburgh for a law to authorise the appointment of commissioners of deeds in said village, which was committed to the committee of the whole.

Mr. Stone presented the memorial of inhabitants of Oswego in regard to the construction of a lock in the canal at that place, which was referred to the Canal Board.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bills from the Assembly entitled, "An act for the relief of the missionary society of the methodist episcopal church," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Thistle benevolent association of the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to settle the account of Christopher Adams, late superintendent of repairs on the Erie and Champlain canals, for moneys deposited by him in the Canal Bank," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Charles le Broadhead for a law authorising him to appeal from any award of the Canal Appraisers on an award made for damages to his lands in Utica, reported adverse to the

prayer of the petitioner, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioner ought not to be granted.

The President put the question whether the Senate would agree to the report, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of Bigham, Stewart & Co.," reported in favor of the passage of the same with amendments, and the title amended so as to read, "An act for the relief of Bigham, Stewart & Co., and final settlement of their accounts as contractors on section No. 14 of the Erie canal enlargement," which was committed to the committee of the whole.

Mr. Cook from the committee on trade and manufactures to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the charter of the Gilboa aqueduct company," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Cook and by unanimous consent,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising the Canal Board to abandon the Fort Miller dam and the use of the sidecut at Fort Miller as an appendage to the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act relating to the running of animals in Monroe county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred a bill from the Assembly entitled, "An act for the relief of Ethalinda Deall," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to incorporate the Oneida lake and river steamboat company," reported the same for the consideration of the Senate without amendment, which was committed to the committee of the whole.

Mr. Geddes, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

"An act to confirm the proceedings of the board of supervisors of the county of Allegany."

"An act in relation to the recorder's court of the city of Buffalo."

"An act to authorise the board of supervisors of Clinton county to investigate and adjust certain claims of George Divoll, John Nichols and George W. Webster, his sureties."

"An act in relation to the Lewiston railroad company."

"An act to amend 'An act to incorporate the Gilboa aqueduct company,' passed April 11, 1849."

"An act to amend the charter of the village of Carthage."

*Ordered*, That said bills do have their third reading.

Mr. Geddes, from the select committee of five, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

The bill from the Assembly entitled, "An act for the relief of Lawrence Pickard," to Messrs. Babcock, Tuttle and Colt.

The bill from the Assembly entitled, "An act to facilitate the construction of the Buffalo and State line railroad," to Messrs. Geddes, Babcock and Crook.

"An act to enable Mary Robertson, Amelia Robertson, and Mary Elizabeth Tunstall, to take, hold and dispose of real estate," to Messrs. Babcock, Crook and Miller.

"An act to amend the charter of the Newburgh and Cohecton turnpike company," to Messrs. Curtis, Schoonmaker and Johnson.

"An act to condense and amend the several acts relating to the village of Skaneateles," to Messrs. Geddes, Cross and Tuttle.

"An act for the relief of the Lockport and Niagara Falls railroad company," to Messrs. Upham, Robinson and Brandreth.

The bill from the Assembly entitled, "An act to confirm the title of a lot of land conveyed by Patrick McGovern," to Messrs. Upham, Robinson and Guinnip.

"An act to amend the charter of the village of Herkimer," to Messrs. Fox, Johnson and Tuttle.

"An act to amend an act to vest in the boards of supervisors certain legislative powers," to Messrs. Colt, Schoonmaker and Geddes.

"An act to repeal an act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," to Messrs. Brandreth, Curtis and Miller.

"An act to amend the Revised Statutes in regard to the assess-

ment of taxes on personal property," to Messrs. Beekman, Stanton and Miller.

The bill from the Assembly entitled, "An act for the protection of banks receiving deposits from married women," to Messrs. Cook, Beekman and Crook.

The bill from the Assembly entitled, "An act to amend 'An act relating to common schools in the village of Medina,' passed April 9, 1849," to Messrs. Beekman, Curtis and Morgan.

"An act to authorise Mary Ann Skiddy to hold real estate," to Messrs. Brown, Beach and Snyder.

The bill from the Assembly entitled, "An act in relation to a draw in a bridge at Oak Orchard over Oneida river," to Messrs. Stone, Morgan and Miller.

The bill from the Assembly entitled, "An act in relation to documentary evidence," to Messrs. Snyder, Mann and Babcock.

"An act to amend the charter of the village of Fayetteville," to Messrs. Geddes, Brandreth and Beekman.

The bill from the Assembly entitled, "An act to amend the charter of the citizen's fire insurance company," to Messrs. Cross, Brown and Crolius.

"An act authorising the commissioners to build a bridge across the Erie canal at Genesee street in the city of Buffalo."

The President put the question whether the Senate would agree to the report of the committee on said last mentioned bill, and it was decided in the negative.

Mr. Babcock moved that said bill be made the special order for to-morrow at 4 o'clock p. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

"An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson."

The President put the question whether the Senate would agree to the report of the committee on said bill, and it was decided in the negative.

Mr. Mann moved that said bill be made the special order for Friday next at 4 o'clock p. m.

"An act to amend an act to provide for the publication of the reports of the court of appeals."

The President put the question whether the Senate would agree to the report of the committee on said bill, and it was decided in the negative.

Mr. Babcock moved that said bill be made the special order for to-morrow at 1 o'clock p. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Curtis, from the select committee, to which was referred the bill entitled, "An act to incorporate the Barryville and Shehota Delaware bridge company," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Stone, from the select committee, to which was referred the bill entitled, "An act to incorporate the Oswego Dry Dock and Marine railway company," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crook, from the select committee to which was referred the bill from the Assembly entitled, "An act for the protection of banks receiving deposits from married women," reported complete with amendments, and the title amended to read as follows, "An act for the protection of savings banks and institutions receiving deposits from married women."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Miller, from the committee on roads and bridges, to which referred the petition for that purpose, reported a bill entitled, "An act in relation to the Deerfield McAdam road," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

On motion of Mr. Johnson,

The Senate proceeded to the consideration of the report of the select committee on the bill entitled, "An act for the relief of tenants and to authorise a stay of proceedings in certain cases."

Mr. Geddes moved to amend the report of the committee so that the first section of said bill will read as follows :

§ 1. In any suit which now is or hereafter may be brought, or in any proceeding which may be taken, by or in behalf of any landlord or proprietor, for the recovery of the possession of land, or upon any covenant for the purchase of land, or to enforce the collection of the rents reserved or a forfeiture of the term provided for in any such grant or lease of land, the supreme court at a general or special term thereof, whenever the land, affected by such suit or proceedings or covered by such grant, contract or lease, is comprised within any manor or tract of land, the title to which is brought in question under any prosecutions which now are or hereafter may be instituted in behalf of this State, against any such landlord or proprietor, may upon a special motion made therefor by the party against whom such suit or proceedings are taken, and upon such terms, and upon the filing of such security as the court shall direct, and if satisfied that the particular equities and circumstances of the case require it, stay, all proceedings in such suits or proceedings until the further order of the court.

The President put the question whether the Senate would agree to said amendment of Mr. Geddes, and it was decided in the affirmative.

Mr. Geddes moved to amend the second section of said bill so as to read as follows :

§ 2. On application under the first section of this act, an appeal may be taken by either party, from any order staying or refusing to stay proceedings, when made at a special term, to the general term



of the supreme court ; and when such order of stay or refusal is made at the general term, either upon an original application or on appeal at such term, either party may appeal therefrom to the court of appeals. The appellate court on any appeal provided for in this act, shall affirm, reverse or modify such order, as the nature of the case may require, in view of the particular equities and circumstances of the case, and shall dispose of the case as it should have been disposed of by the court to whom the application was originally made. All appeals under this section must be taken by the party aggrieved, within sixty days after service on him of notice of such order or refusal.

The President put the question whether the Senate would agree to the said amendment and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Geddes	Mr. Robinson
Mr. Brandreth	Mr. Mann	Mr. Skinner
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Fox		

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**FOR THE NEGATIVE.**

Mr. Brandreth	Mr. Dimmick	Mr. Owen
Mr. Carroll	Mr. Guinnip	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Morgan	Mr. Stanton
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Dart		

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Mr. Schoonmaker moved to amend section two by inserting after the words "general term" the word "either" and after the word "application" the words "or on appeal," by adding at the end thereof the following "but no cost shall be allowed on such appeal to the court of appeals."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker moved to amend section three of said bill so as to read as follows :

§ 3. It shall be the duty of the attorney general, in all cases where a suit has been commenced, or may hereafter be commenced, or proceedings in the nature of a quo warranto, taken under the joint resolution of the Senate and Assembly, adopted May 10, 1848, or any appeal thereon to prosecute the same to judgment as speedily as possible. And all such suits and proceedings, and the appeals therein, and the appeals under the second section of this act, shall have a preference over all other causes on the calendar of any court in which they may be pending.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

*Ordered*, That the said bill be engrossed for a third reading.

The bill from the Assembly entitled, "An act for the relief of the Roman Catholic orphan asylum in the city of Brooklyn," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Williams
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Governor in the words following :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 20, 1850.* }

*To the Senate :*

I have this day approved and signed the following bills :

"An act to authorise the Syracuse and Tully plank road company to make a branch of their road over the lands of the Onondaga Indians."

"An act to amend the charter of the village of Newburgh."

HAMILTON FISH.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to divide the sixth and seventh wards and establish the boundaries and civil divisions of the city of Brooklyn."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The President laid before the Senate a communication from Fredrick Follet, canal commissioner, in answer to a resolution of the Senate of February 12, in relation to the enlargement of the canals other than the Erie canal, which was laid on the table.

Mr. Crook gave notice that he would, at an early day, ask leave to introduce a bill, making an appropriation of \$5,000 for the improvement of the river Saranac and its tributaries.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Aurora and Buffalo plank road company.

Mr. Skinner gave notice that he would, at an early day, ask leave to introduce a bill to confirm the official acts of Silas A. Webb, as justice of the peace in the town of Lyme, in the county of Jefferson.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled, "An act in relation to the Normal school building and making appropriation therefor," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act for the better protection of persons engaged in buildings where steam engines are used," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the 3d, 4th, 5th, and 6th districts.

In pursuance of previous notice,

Mr. Robinson asked for and obtained leave to introduce a bill entitled, "An act authorising a loan to the town of Alfred, county of Allegany, and to authorise the town of Alfred to reloan the same money to the trustees of Alfred academy," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on finance.

In pursuance of previous notice,

Mr. Cross asked for and obtained leave to introduce a bill entitled, "An act to compel the determination of claims to real property sold

for taxes or assessment," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

On motion of Mr. Cook,

*Resolved*, That three members be added to the select committee of five of which Mr. Geddes is chairman.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

*Ordered*, That Messrs. Cook, Dimmick, and Tuttle be said committee.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill No. 165 entitled, "An act to amend the act requiring compensation for causing death by wrongful act, neglect, or default," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly No. 77 entitled, "An act to incorporate the firemen of the village of Williamsburgh," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to release the interest of the State in certain real estate, of which James Fox died seised to Michael Fox and his assigns," and that the same be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Crolius offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly entitled, "An act to incorporate the Thistle benevolent association," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill No. 163 entitled, "An act relative to the location of a gate on the Lockport and Warren's Corners plank road," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Noyes offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill No. 190 in relation to the reduction of tolls on the Coney Island turnpike road and bridge, be taken from general orders and referred to a select committee to report complete.

Mr. Miller moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, That the committee on finance be discharged from the further consideration of the memorial of the college of Pharmacy of New-York city, and that the same be referred to the committee on medical colleges.

On motion of Mr. Morgan,

*Resolved*, That the Senate bill No. 131 being, "An act to provide for an equitable settlement of amounts between the State treasury and the city and county of New-York," be referred to the committee of the whole having in charge bills in relation to savings banks.

On motion of Mr. Snyder,

*Resolved*, That the bill entitled, "An act to pay Alexander Hubbard certain rewards under proclamation of Governor Young," be made the special order for Saturday next at 12 o'clock.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal the charter of the Hector and Catharine road and bridge company," and after some time spent thereon, Mr. Skinner, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Cook, and by unanimous consent,

*Resolved*, That the bill entitled, "An act to enable the Presbyterian congregation of Freehold to purchase or erect a parsonage house," be ordered engrossed for a third reading.

On motion of Mr. Miller, and by unanimous consent,

*Resolved*, That the bill from the Assembly entitled, "An act authorising the directors of the Macedon and Victor plank road company to change their corporate name," be ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn," and after some time spent thereon, Mr. Brown, from said committee, reported progress, and asked leave to sit again.

Mr. Williams moved said bill be referred to a select committee to report complete.

Mr. Carroll moved said bill be referred to the committee on cities and villages to report complete.

The President put the question whether the Senate would agree to the said motion of Mr. Carroll, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to supply the Black river canal and the Black river with water by damming the lakes at the head of Black, Moose, and Beaver rivers," and after some time spent thereon, Mr. Cross, from said committee, reported in favor of the passage of the same with amendments.

Mr. Cook moved that said bill be referred to the canal board requesting them to report on the necessity, practicability, and probable expense of the contemplated improvements.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Cook and by unanimous consent,

The Senate then proceeded to the consideration of the resolution heretofore offered by Mr. Mann, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That in the judgment of this Legislature the objects to be attained by the creation of savings institutions can be attained under a general law.

Mr. Cook moved to amend the resolution by striking out all after the word resolved and insert the following:

That in the opinion of this Senate the objects to be attained by the creation of savings banks or institutions can not be secured to the people of this State by the passage of a general law for that purpose.

The President put the question whether the Senate would agree to the amendment of Mr. Cook, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
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#### FOR THE NEGATIVE.

Mr. Carroll	Mr. Fox	Mr. Noyes
Mr. Crook	Mr. Guinnip	Mr. Stanton
Mr. Dart	Mr. Mann	Mr. Stone
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The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Cook, and by unanimous consent,

*Resolved*, That the bills entitled, "An act to incorporate the Albany savings institution," also "An act to incorporate the Hudson city savings institution," be referred to a select committee to report complete.

*Ordered*, That Messrs. Cook, Johnson, and Stanton, be said committee.

The Senate then resolved itself into a committee of the whole on the bills entitled as follows :

"An act appropriating money for the Troy hospital."

"An act in relation to the Troy and Schenectady railroad company."

And after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for an equitable settlement of the accounts between the State treasury and the city and county of New-York," and after some time spent thereon, Mr. Schoonmaker, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

On motion of Mr. Stone,

The Senate then adjourned until 10 o'clock to-morrow morning.

## FRIDAY, MARCH 22, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The journal of yesterday was read and approved.

Mr. Mann presented the petition of directors of the Cherry Valley and Canajoharie plank road company for a law authorising them to loan money or create new stock, which was referred to the committee on roads and bridges.

Mr. Johnson presented the petition of inhabitants of West Troy for a law imposing tolls on freight transported on all railroads competing with the Champlain canal, which was committed to the committee of the whole.

Messrs. Snyder and Schoonmaker presented six petitions of inhabitants of Ulster and Dutchess counties for the repeal of the free school law, which was committed to the committee of the whole.

Mr. Dimmick, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act in relation to the fees of sheriffs in certain cases, and to the return by them of executions by mail," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act in relation to the collection of fines and forfeitures in the county of Genesee, and the duties of certain officers in relation thereto," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Fox, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act authorising Albert Lowrey, his heirs and assigns, to erect and maintain a dock in the town of Mount Pleasant," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Fox, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act granting lands under water in the town of Courtlandt in the county of Westchester, to Frederick W. Requa," reported the same for the consideration of the Senate without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act for the relief of Jacob C. Anthony and Robert Fero," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to mutual insurance companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Upham, from the select committee, to which was referred the bill from the Assembly entitled, "An act for the relief of the Lockport and Niagara Falls railroad company," reported the same complete without amendment, which report was agreed to.

Mr. Upham, from the select committee to which was referred the bill from the Assembly entitled, "An act to confirm the title to a lot of land conveyed to and by Patrick McGovern, an alien," reported the same complete without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Colt, from the select committee to which was referred the bill entitled, "An act to amend an act to vest in boards of supervisors certain legislative powers," reported the same complete with amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Brown, from the select committee to which was referred the bill entitled, "An act authorising Mary Ann Skiddy to hold real es-



tate," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Cook, from the select committee to which was referred the bill entitled, "An act to incorporate the Albany city savings institution," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook, from the select committee to which was referred the bill entitled, "An act to incorporate the Hudson city savings institution," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Beekman, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend 'An act relating to common schools in the village of Medina,' passed April 9, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend the Revised Statutes in regard to the assessment of taxes on personal property," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill from the Assembly entitled, "An act for the relief of Lawrence Pickard," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent,

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to compel the determination of claims to real property sold for taxes or assessments," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to wood lands in the towns of Huntington, Islip and Smithtown, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Upham introduced a bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Niagara Falls," which was read the first time, and by unanimous consent was also read a second time.

Mr. Upham moved that said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Cross, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend the charter of the citizen's fire insurance company," reported the same complete

without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Geddes, from the select committee to which was referred the bill entitled, "An act to amend an act to incorporate the village of Fayetteville," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled, "An act in relation to the publication of notices previous to the sale of land for taxes," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act for the relief of tenants and to authorise a stay of proceedings in certain cases."

"An act to repeal the charter of the Hector and Catherine road and bridge company."

"An act to incorporate the Barryville and Shebota Delaware bridge company."

"An act in relation to the Troy and Schenectady railroad."

"An act to amend the act to vest in boards of supervisors certain legislative powers."

"An act authorising the Presbyterian congregation of Freehold to purchase or erect a parsonage house."

*Ordered*, That said bills do have their third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to amend article fifth, title first, chapter sixteenth, part first, of the Revised Statutes, relating to encroachments on highways," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Skinner asked for and obtained leave to introduce a bill entitled, "An act to confirm the official act of Silas A. Webb, a justice of the peace in the county of Jefferson," which was read the first time, and by unanimous consent was also read a second time.

Mr. Skinner moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

Mr. Geddes gave notice, that at an early day he would ask leave to introduce a bill requiring supervisors to take additional security, when the safety of the school moneys require it, from superintendents of common schools."

On motion of Mr. Crolius,

*Resolved*, That the bill in reference to the Coney Island turnpike and bridge company, be again referred to the committee on roads and bridges.

Mr. Dimmick offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly in relation to the fees of sheriffs, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Schoonmaker,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill in relation to the Fort Miller dam, and that the same be referred to the standing committee on claims to report complete.

Mr. Fox offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Senate bill No. 106, being "An act to authorise the reappraisal and payment of canal damages to James Folts," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to a select committee of eight.

Mr. Fox offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Senate bill No. 192, being "An act to authorise the Little Falls and Salisbury plank road company to mortgage their road as security for a loan," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Mann,

The Senate proceeded to the consideration of the report of the committee on the judiciary on the bill from the Assembly entitled, "An act to incorporate the United States mail steamship company."

The question being on agreeing to the resolution of the committee, as follows :

*Resolved*, That the proper and legitimate object to be attained by the creation of the United States mail steamship company can, in the judgment of the Senate, be attained under a general law, authorising the formation of such companies, and that the same cannot therefore be created by special act, in conformity to the provisions of the constitution.

Debate was had thereon, when pending the question,

The Senate resolved itself into a committee of the whole on the special order for the day, being the bills entitled :

"An act for the improvement of Rackett river and the tributaries thereof."

"An act declaring Rackett river in the State of New-York a public highway, and regulating the passage of lumber down the same."

And after some time spent thereon, Mr. Brandreth, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

On motion of Mr. Stanton,

*Resolved*, That the bill for the amendment of the charter of the

village of Seneca Falls, be referred back to the select committee which had it in charge to report complete.

On motion of Mr. Johnson,

*Resolved*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the better repairing certain roads in the town of Coeymans,' passed December 14, 1847," be ordered to a third reading.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the following bills :

"An act for the improvement of Rackett river and the tributaries thereof."

"An act declaring Racket river a public highway, and regulating the passage of lumber down the same."

And after some time spent thereon, Mr. Brandreth, from said committee, reported in favor of the passage of said last mentioned bill with amendments.

Mr. Schoonmaker moved that said bill be referred to the State Engineer, with instructions to report as to the practicability and propriety of said act.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Brandreth, from the same committee, reported in favor of the passage of said first mentioned bill with amendments.

Mr. Schoonmaker moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

The Assembly returned the bill entitled, "An act to divide the sixth and seventh wards and establish the boundaries and civil divisions of the city of Booklyn."

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent,

The bill from the Assembly entitled, "An act for the protection of savings banks and institutions receiving deposits from married

women," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crook	Mr. Guinnip	Mr. Stanton
Mr. Cross	Mr. Miller	Mr. Stone
Mr. Curtis	Mr. Morgan	Mr. Tuttle

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Crolius,  
The Senate then adjourned until 10 o'clock to-morrow morning.

SATURDAY, MARCH 23, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Beekman presented the memorial of J. Janeway for a more equitable law of assessments in the city of New-York, which was committed to the committee of the whole.

Messrs. Robinson and Stanton presented two petitions of inhabitants of Wyoming and Rensselaer counties to restrain the sale of intoxicating drinks, which was sent to the Assembly under rule.

Mr. Geddes presented the petition of chiefs and headmen of the Onondaga Indians asking that the compensation of their agent be incurred to \$150 per annum, which was committed to the committee on Indian affairs.

Messrs. Tuttle and Robinson presented two petitions of inhabitants of Delaware and Wyoming counties for the repeal of the free school law, which was referred to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Henry P. Voorhees," reported the same for the consideration of the Senate with amendments, which was committed to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to William H. Bennett," reported the same for the consideration of the Senate without amendment, which was committed to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Elias Stillwell," reported the same for the consideration of the Senate with amendments, which was committed to the committee of the whole.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly entitled, "An act for the relief of Zebulon Moore," reported the same for the consideration of the Senate without amendment, which was committed to the committee of the whole.

Mr. Upham from the committee on canals, to which was referred the petition for that purpose, reported a bill entitled, "An act to grant the use of a pier in the Cayuga lake to the Cayuga and Susquehanna railroad company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges to which was referred the petition for that purpose, reported a bill entitled, "An act authorising the Cherry Valley and Canajoharie plank road company to borrow money," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Mann, and by unanimous consent,  
*Ordered*, That said bill be engrossed for a third reading.

Mr. Babcock from the select committee, to which was referred the bill entitled, "An act to enable Mary Robertson, Amelia Robertson, and Mary Elizabeth Tunstall to take, hold, and dispose of real estate," reported the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Snyder from the select committee, to which was referred the bill from the Assembly, "An act in relation to documentary evidence," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Geddes from the select committee, to which was referred the bill entitled, "An act to condense and amend the several acts relating to the village of Skaneateles," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to revise amend the several acts relating to the city of Brooklyn," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third third reading.

By unanimous consent,

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled,

"An act declaratory of the jurisdiction and authority of the trustees of the village of Lyons over the public squares in said village, and establishing such jurisdiction and authority," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Robinson, from the select committee of eight, reported as proper to be referred to a select committee to report complete, the bill entitled, "An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls."

The President put the question whether the Senate would agree to the report, and it was decided in the affirmative.

*Ordered,* That Messrs. Upham, Robinson, and Snyder be said select committee.

Mr. Miller, from the committee on roads and bridges, to which referred the petition for that purpose, reported a bill entitled, "An act to authorise the commissioners of highways of the town of Brownville to borrow money," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Upham from the select committee, to which was referred the bill entitled, "An act to amend 'An act to provide for the incorporation of villages passed December 7, 1847,' so far as the same relates to the village of Niagara Falls," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Robinson from the committee on medical colleges and societies, to which was referred the petition for that purpose, reported a bill entitled, "An act providing for the registry of births and deaths within this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill entitled, "An act to repeal an act providing for the registry of births, marriages, and deaths," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act appropriating money for the Troy hospital."

"An act to provide for an equitable settlement of accounts between the State treasury and the city and county of New-York."

"An act to incorporate the Hudson city savings institution."

"An act authorising Mary Ann Skiddy to hold real estate."

"An act to incorporate the Oswego Dry Dock and Marine railway company."

*Ordered,* That said bills do have their third reading.

By unanimous consent,

Mr. Morgan introduced a bill entitled, "An act to authorise Alexander P. Stewart to continue and complete his present store on Broadway in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Morgan,

Said bill was referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts, to report complete.

In pursuance of previous notice,

Mr. Geddes asked for and obtained leave to introduce a bill entitled, "An act requiring supervisors of the several towns to take further security from superintendents of common schools whenever it is necessary for the safety of the public money," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Geddes,

Said bill was referred to the committee on literature to report complete.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to increase the capital stock of the Aurora and Buffalo plank road company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Babcock,

Said bill was referred to the committee on roads and bridges to report complete.

On motion of Mr. Cross,

*Resolved*, That the bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land at New Utrecht," be taken from the table and referred to the committee on the judiciary to report complete.

On motion of Mr. Mann,

*Resolved*, That the bill in relation to the State lunatic asylum, be made the special order for Tuesday next at 4 o'clock p. m.

Mr. Beach offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill to amend the charter of the city of Auburn, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the act entitled, "An act in relation to jurors of Kings county," be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Stanton offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly entitled, "An act to



amend the act incorporating the Methodist Episcopal church," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Assembly bill No. 231, being "An act to authorise Benjamin Hook, rigger, to change his name," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Brandreth offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly to form a ferry between Rockland and Sing Sing, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Brandreth offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill to repeal the charter of the Croton turnpike road company, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Schoonmaker offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill in relation to voting by proxy in mutual insurance companies, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Robinson,

*Resolved*, That the bill authorising the Comptroller to loan from the Common School Fund \$10,000 to the town of Alfred, to be re-loaned to the Alfred Academy, be referred to the standing committee on finance to report complete.

On motion of Mr. Schoonmaker,

The Senate proceeded to the consideration of the report of the committee on the judiciary on the bill from the Assembly entitled, "An act to incorporate the United States mail steamship company."

The question being on agreeing to the resolution of the committee, as follows :

*Resolved*, That the proper and legitimate object to be attained by the creation of the United States mail steamship company can, in the judgment of the Senate, be attained under a general law, authorising the formation of such companies, and that the same cannot therefore be created by a special act, in conformity to the provisions of the constitution :

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Noyes
Mr. Crook	Mr. Geddes	Mr. Stone
Mr. Dart	Mr. Mann	

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FOR THE NEGATIVE.

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Robinson	

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Mr. Stone offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill to authorise the commissioners of the land office to hear and determine the claim of Henry Jordan as Indian interpreter, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Carroll from the committee on literature, to which was referred the bill entitled, "An act requiring supervisors of the several towns to take further security from superintendents of common schools whenever it is necessary for the safety of the public money," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Stanton, from the select committee to which was referred the bill from the Assembly entitled, "An act amending the charter of the village of Seneca Falls," reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

The bill entitled, "An act in relation to the recorder's court in the city of Buffalo," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle

21

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to confirm the proceedings of the board of supervisors of Allegany county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Curtis	Mr. Miller
Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crolius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Tuttle

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to enable the Presbyterian congregation of the town of Freehold to purchase or erect a parsonage house," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Curtis	Mr. Robinson
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	

23

*Ordered,* That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to amend an act to vest in boards of supervisors certain legislative powers," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner

Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller

Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle

26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the Lewiston railroad company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Curtis  
Mr. Dimmick  
Mr. Fox  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Morgan

Mr. Noyes  
Mr. Robinson  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle

23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the Troy and Schenectady railroad," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Curtis  
Mr. Dimmick  
Mr. Fox  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Noyes

Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle

23

*Ordered,* That the Clerk deliver said amendment to the Assembly and request their concurrence therein.

The bill entitled, "An act for the relief of tenants and to authorise a stay of proceedings in certain cases," coming up for its third reading.

Mr. Babcock moved to recommit said bill to the select committee, with instructions to strike out the first section, and cause it to conform to the suggestions of the Attorney General in his report on that subject.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion of Mr. Babcock, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crook	Mr. Guinnip	Mr. Stanton
Mr. Cross	Mr. Johnson	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Upham
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FOR THE NEGATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Morgan
Mr. Brandreth	Mr. Mann	Mr. Skinner
Mr. Brown		
		10

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Morgan, from the select committee to which was referred the bill entitled, "An act to authorise Alexander T. Stuart to continue and complete his present store on Broadway in the city of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to authorise Alexander T. Stuart to continue and complete his present store on Broadway in the city of New-York."

"An act to authorise the Cherry Valley and Canajoharie plank road to borrow money."

*Ordered*, That said bills do have their third reading.

The special order for the day having been announced,

Mr. Cook moved that it be postponed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Noyes	

23

FOR THE NEGATIVE.

Mr. Cook	Mr. Mann	Mr. Morgan	3
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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to repeal the charter of the Hector and Catherine road and bridge company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Crolius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Noyes	Mr. Tuttle

18

FOR THE NEGATIVE.

Mr. Brown	Mr. Cook	Mr. Morgan
Mr. Colt	Mr. Johnson	Mr. Upham

6

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Albany city savings institution," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Robinson
Mr. Brandreth	Mr. Curtis	Mr. Schoonmaker
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton

Mr. Cook	Mr. Johnson	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Noyes		23

## FOR THE NEGATIVE.

Mr. Mann	Mr. Stone	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Shehola and Barryville Delaware bridge company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson	
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker	
Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Cook	Mr. Mann	Mr. Stone	
Mr. Crolius	Mr. Miller	Mr. Tuttle	
Mr. Crook	Mr. Morgan	Mr. Upham	
Mr. Cross	Mr. Noyes		26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Hudson city savings institution," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Robinson	
Mr. Brandreth	Mr. Curtis	Mr. Schoonmaker	
Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Cook	Mr. Miller	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook			22

## FOR THE NEGATIVE.

Mr. Stone	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for an equitable settlement of accounts between the State Treasury and the city and county of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorise the supervisors of the several towns to take further security from town superintendts of common schools whenever it is necessary for the safety of the public money."

*Ordered*, That said bill do have its third reading.

The bill entitled, "An act authorising the board of supervisors of Clinton county to investigate and adjust the claims of George Divoll, and John Nichols and George W. Webster, his sureties," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham

27

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.



The bill entitled, "An act appropriating money to the Troy hospital," was read the third time and passed, a majority of all the members elected to the Senate voting infavor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Noyes	
Mr. Brandreth	Mr. Dart	Mr. Robinson	
Mr. Carroll	Mr. Fox	Mr. Skinner	
Mr. Cook	Mr. Guinnip	Mr. Snyder	
Mr. Crolius	Mr. Johnson	Mr. Stanton	
Mr. Crook	Mr. Miller	Mr. Upham	18

## FOR THE NEGATIVE.

Mr. Brown	Mr. Dimmick	Mr. Stone	
Mr. Colt	Mr. Morgan	Mr. Tuttle	
Mr. Curtis			7

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the charter of the village of Carthage," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Morgan	
Mr. Beach	Mr. Crook	Mr. Noyes	
Mr. Beekman	Mr. Dart	Mr. Robinson	
Mr. Brandreth	Mr. Dimmick	Mr. Skinner	
Mr. Brown	Mr. Fox	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stanton	
Mr. Colt	Mr. Johnson	Mr. Stone	
Mr. Cook	Mr. Miller	Mr. Tuttle	24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend 'An act to incorporate the Gilboa aqueduct company,' passed April 11, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Morgan
Mr. Beach	Mr. Crook	Mr. Noyes
Mr. Beckman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act authorising Mary Ann Skiddy to hold real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	

23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise Alexander T. Stewart to continue and complete his present store on Broadway in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beckman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook		

22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act requiring the supervisors of the several towns to take further security from town superintendents of common schools whenever it is necessary for the safety of the public money," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Noyes
Mr. Beach	Mr. Crook	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Carroll, from the committee on engrossed bills, reported a correctly engrossed the bill entitled, "An act to authorise the Cherry Valley and Canajoharie plank road company to borrow money."

*Ordered*, That said bill do have its third reading.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Miller	

23

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Miller
Mr. Brandreth	Mr. Curtis	Mr. Morgan

Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius

Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Guinnip  
Mr. Johnson

Mr. Robinson  
Mr. Skinner  
Mr. Stanton  
Mr. Tuttle

20

FOR THE NEGATIVE.

Mr. Stone

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the protection of savings banks and institutions receiving deposits from married women."

*Ordered*, That said bill be returned to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the settlement of the claims of Stiles Johnson and Norman Butler on their canal contracts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the New-York medical college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Monroe county savings bank," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to divide the twelfth ward of the city of New-York into two wards," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled, "An act requiring the New-York and New Haven railroad company to establish a station in the town of Eastchester in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to authorize the election of local officers to discharge the duties of county judge and surrogate in the counties of Orange, Chautauque, Cayuga and St. Lawrence, Tioga Oneida, Jefferson and Oswego,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled,

"An act to amend the act entitled, 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to repeal 'An act appointing commissioners to lay out a road from Palatine bridge, in Montgomery county, through Palatine, Ephrata, Pleasant Valley and Garoga, to the lands belonging to the State in Fulton county,' passed December 10, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act for the licensing and government of pilots of the port of New-York by the way of Sandy Hook," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the 1st, 2d, 3d, 4th, 5th, and 6th districts.

The bill from the Assembly entitled, "An act for the relief of Lawrence Pickard," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Johnson
Mr. Beach	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Geddes	Mr. Stone

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Cook moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act to amend the charter of the citizen's fire insurance company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Johnson
Mr. Beach	Mr. Curtis	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Morgan
Mr. Brown	Mr. Dimmick	Mr. Robinson

Mr. Carroll  
Mr. Cook  
Mr. Crolius

Mr. Fox  
Mr. Geddes

Mr. Skinner  
Mr. Stone

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Dart moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act in relation to documentary evidence," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beach  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Cook  
Mr. Crolius

Mr. Crook  
Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes

Mr. Miller  
Mr. Morgan  
Mr. Robinson  
Mr. Skinner  
Mr. Stone  
Mr. Tuttle

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the Revised Statutes in regard to the assessment of taxes on personal property," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beach  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Cook  
Mr. Crolius

Mr. Crook  
Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes

Mr. Johnson  
Mr. Miller  
Mr. Morgan  
Mr. Robinson  
Mr. Skinner  
Mr. Stone  
Mr. Tuttle

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act authorising the directors of the Macedon and Victor plank road company to change their corporate name," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller
Mr. Beach	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Skinner
Mr. Cook	Mr. Fox	Mr. Stone
Mr. Crolius	Mr. Geddes	Mr. Tuttle
Mr. Crook	Mr. Johnson	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Cross,  
The Senate then adjourned until 10 o'clock on Monday morning.

## MONDAY, MARCH 25, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Starks.

The journal of Saturday was read and approved.

Mr. Curtis presented the petition of inhabitants of Buttermilk Falls for a ferry from the town of Cornwall to Phillipstown, Westchester county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Colt presented the petition of inhabitants of Livingston county for aid to the Geneseo academy.

Mr. Stanton presented the remonstrance of inhabitants of Tompkins county against the repeal of the free school law, which was referred to the committee of the whole.

Mr. Crolius presented the petition of John D. Russ for a law compelling pawn brokers in New-York city to make annual returns of their business to the Legislature, which was referred to the committee on trade and manufacture.

Mr. Stone presented the remonstrance of members of the bar of Albany against any amendment of the law in relation to the publication of the reports of the court of appeals, which was referred to the committee of the whole.

Messrs. Dart and Robinson presented four petitions of inhabitants of Allegany and St. Lawrence counties for an amendment of the excise laws, which was sent to the Assembly under rule.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to authorise the canal commissioners to settle with Hubbard Burdick for work done on the Erie canal," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act providing for the relief of the heirs of John Fort," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Cyrus P. Dunham and others for damages claimed under an award of the canal appraisers, reported adverse to the prayer of the petitioners, and offered the following resolution :

*Resolved*, That the prayer of the petitioners ought not to be granted.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Schoonmaker, from the committee on claims, to which was referred the petition of Wm. Buel for payment of damages caused by being deprived of a contract for the construction of the locks at Lockport, reported adverse to the prayer of the petitioner, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Schoonmaker from the committee on claims, to which was referred the petition of Stephen A. Daggert and others for an appraisal and payment of damages caused by the Erie canal, reported adverse to the prayer of the petitioner, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Schoonmaker from the committee on claims, to which was referred the petition of William S. Geer for a law to pay him damages caused by the construction of the Erie canal, reported adverse to the prayer of the petitioner, and offered the following resolution, to wit :

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Snyder from the committee on public buildings, to which was referred the bill entitled, "An act making an appropriation to the Normal school building," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Snyder moved said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Stanton, from the committee on charitable and religious so-



cieties, to which was referred the petition for that purpose, reported the bill entitled, "An act to authorise the cemetery of the Evergreens to hold real estate in the county of Queens," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Stanton moved said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Williams, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise William Hamilton to build a dock opposite his lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Williams moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising surrogates to invest surplus moneys arising from sale of real estate in certain cases," reported in favor of the passage of the same with amendment.

Mr. Mann moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land in New Utrecht," reported the same complete with amendments, and the title amended to read "An act to amend the Revised Statutes in relation to grants of land under water."

Mr. Schoonmaker moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robinson from the committee on medical societies and colleges, to which was referred so much of the message of the Governor as relates to Asiatic cholera, reported in writing.

(See Doc. No. 90.)

Mr. Geddes moved that five time the usual number of the said report be printed for the use of the Legislature.

*Ordered,* That said motion be referred to the committee on public printing.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill entitled, "An act authorising the canal board to abandon the Fort Miller dam and the use of the side cut at Fort

Miller as an appendage to the Champlain canal," reported the same complete with amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 23, 1850.* }

*To the Senate :*

I have this day approved and signed the following bills :

"An act for the protection of purchasers of real estate upon sales by order of surrogates."

"An act to divide the sixth and seventh wards and establish the boundaries and civil divisions of the city of Brooklyn."

HAMILTON FISH.

A bill was received from the Assembly for concurrence entitled, "An act to enable the trustees, receivers, and assignees to become petitioning creditors under article third, part first, chapter fifth, part second of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act in relation to free schools in the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to condense and amend the several acts relating to the village of Williamsburgh,' passed April 23, 1844," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cross,

*Ordered,* That said bill be referred to the committee on the incorporation of cities and villages to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the Pacific mail steam ship company,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the court of appeals and for the relief of certain suitors therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Daniel Cornell and Ranson Clark," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to enable the Seneca road company to sell parts of their road to plank road companies, and to abandon some parts of their road."

"An act to making the village of Morrisville a separate road district."

"An act to incorporate a seminary of education under the name of the Jonesville academy."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to enable Mary Robertson, Amelia Robertson, and Mary Elizabeth Tunstall to take, hold, and convey real estate."

"An act in relation to the publication of notices previous to the conveyance of land sold for taxes."

*Ordered*, That said bills do have their third reading.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to authorise the formation of railroad corporations."

Mr. Geddes moved that said bill and amendments be referred to the select committee heretofore appointed on said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Miller gave notice that he would, at an early day, ask leave to introduce a bill to repeal the "Act in relation to the Oswego canal, passed April 5, 1849."

Mr. Crolius gave notice that, at some future day, he would introduce a bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of insurance companies.'"

Mr. Williams gave notice that he would, at an early day, introduce a bill in relation to the government of the Marine hospital.

In pursuance of previous notice,

Mr. Crook asked for and obtained leave to introduce a bill entitled, "An act for the improvement of Saranac river and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the fire department of the village of Watertown," which was read the first time, and by unanimous consent was also read the second time.

Mr. Skinner moved that said bill be ordered to a third reading.

*Ordered*, That said resolution be referred to the select committee of eight.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of William Wiggins and David R. Conyer,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of canal damages to George W. Manchester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to enable religious societies to provide for their common expenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act passed April 24, 1837 entitled, 'An act to incorporate the village of Black Rock and the several acts amending the same,' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Oswego savings institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled, 'An act to amend an act entitled, 'An act to consolidate and amend the acts to incorporate the city of Buffalo,' passed April 20, 1832 and the various acts amendatory thereof,' passed April 17, 1843 passed March 29, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Miller offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the bill entitled, "An act to vest in the board of supervisors certain legislative powers and to prescribe the fees for certain services, passed April 3, 1849," so far as the same relates to the county of Monroe, be taken from the committee of the whole and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Johnson,

*Resolved*, That the bill for the relief of Elias Stillwell, and the bill for the relief of Henry P. Voorhees, be recommitted to the committee on canals, and that upon reporting they retain their respective places on the general orders.

On motion of Mr. Stone,

*Resolved*, That the bill to incorporate the Oswego Dry Dock and Marine railway company, be recommitted to the committee on trade and manufactures.

Mr. Brown offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act to exempt the towns of Huntington, Islip, and Smithtown, Suffolk county," from the provisions of the law, passed April 7, 1849, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to a select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the act No. 180 entitled, "An act in relation to interments in certain cities and villages," be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That Assembly bill No. 185 to alter the commissioners' map of the city of Brooklyn be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill No. 120 to incorporate the south Brooklyn savings bank, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Assembly bill No. 132 making the district attorney of Rockland county a salaried officer, be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

Mr. Schoonmaker offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill to amend the act in relation to telegraph companies, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Schoonmaker offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly entitled, "An act to incorporate the United States mail steam ship company," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Colt offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the Senate bill authorising county clerks to appoint special deputies, be taken from the committee of the whole and be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Babcock moved that all bills on the general orders be referred to the select committee of eight to report such as in their opinion should be referred to select committees to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act amending the charter of the village of Seneca Falls," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross		

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the publication of notices previous to the conveyance of land sold for taxes," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

22

FOR THE NEGATIVE.

Mr. Colt

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to enable Mary Robertson, Amelia Robertson and Mary Elizabeth Tunstall, to take, hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson	
Mr. Beach	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Crolius	Mr. Geddes	Mr. Stanton	
Mr. Crook	Mr. Guinnip	Mr. Stone	
Mr. Cross	Mr. Miller	Mr. Tuttle	
Mr. Curtis	Mr. Owen	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act for the relief of the creditors of the Lockport and Niagara Falls railroad company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson	
Mr. Beach	Mr. Dart	Mr. Schoonmaker	
Mr. Beekman	Mr. Dimmick	Mr. Skinner	
Mr. Brown	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Geddes	Mr. Stanton	
Mr. Crolius	Mr. Guinnip	Mr. Tuttle	
Mr. Crook	Mr. Miller	Mr. Williams	
Mr. Cross	Mr. Owen		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Schoonmaker moved that the Senate reconsider its vote on the bill entitled, "An act to enable Mary Robertson, Amelia Robertson and Mary Elizabeth Tunstall, to take, hold and convey real estate."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Said bill having been amended by unanimous consent, was again read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker

Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook		

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to authorise Alexander T. Stewart to continue and complete his present store on Broadway in the city of New-York."

*Ordered*, That the Clerk deliver said bill to the Governor.

The bill from the Assembly entitled, "An act for the improvement of Rackett river and its tributaries," coming up for its third reading,

Mr. Schoonmaker moved to refer said bill to the committee on the judiciary, with instructions to report as to the constitutionality of said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Schoonmaker then moved to recommit said bill to the committee on finance, with instructions to amend the bill so as to conform to the general laws in relation to the sale of the public lands.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		

22

## FOR THE NEGATIVE.

Mr. Schoonmaker

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act declaring Rackett river a public highway and regulating the passage of lumber down the same," being upon its third reading,

Mr. Crook moved to recommit said bill to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Dart moved that said bill be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to amend the act relating to common schools in the village of Medina, passed April 9, 1849," being upon its third reading,

Mr. Cross moved that said bill be referred to the committee on literature to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled, "An act to confirm the title to a lot of land conveyed to and by Patrick McGovern," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Schoonmaker
Mr. Beach	Mr. Curtis	Mr. Skinner
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Miller	Mr. Stanton
Mr. Carroll	Mr. Noyes	Mr. Stone
Mr. Colt	Mr. Owen	Mr. Tuttle
Mr. Cook	Mr. Robinson	Mr. Williams
Mr. Crolius		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to release to the relatives of Emma Hughes, late of London, England, the interest of the people of the State of New-York in certain personal property."

Mr. Schoonmaker moved that said amendments be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849," being upon its third reading,

Mr. Beekman moved that said bill be recomitted to the committee on the incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Stone, and by unanimous consent,

*Resolved*, That the bill to pay the claim of William W. Niles, be made the special order for Wednesday next at 1 o'clock p. m.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act to provide for the publication of the reports of the court of appeals," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Babcock moved that said bill be made the special order for this afternoon at 4 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Johnson moved that said bill be made the special order for to-morrow at 11 o'clock a. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act authorising the Canal Commissioners to build a bridge across the canal at Genesee street in the city of Buffalo," and after some time spent thereon, Mr. Noyes, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to amend an act relating to common schools in the village of Medina, passed April 9, 1849," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson," and after some time spent thereon, Mr. Schoonmaker, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

A quorum of members not being in attendance,

Mr. Geddes moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The doors were then closed.

After some time spent in the call,

Mr. Cook moved that the further proceedings under the call be dispensed with.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The doors were then opened.

By unanimous consent,

Mr. Cross introduced a bill entitled, "An act to amend the act to divide the 6th and 7th wards and to establish the boundaries and civil divisions of the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Cross, and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Cross	Mr. Miller	

23

*Ordered,* That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson," and after some time spent thereon, Mr. Johnson, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay Alexander Hubbard certain rewards under proclamation of Governor Young," and after some time spent thereon, Mr. Tuttle, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act further to amend 'An act establishing free schools throughout the State,' passed March 26, 1849."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State."

"An act to establish a free school in the town of West Farms and county of Westchester."

And after some time spent thereon, Mr. Johnson, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed, without amendment the bill entitled, "An act to amend the act to divide the sixth and seventh wards and to establish the boundaries and civil divisions of the city of Brooklyn, passed March 23, 1850."

*Ordered*, That the Clerk deliver said bill to the Governor.

The President laid before the Senate a communication from Alexander Vattermare in relation to the wreck of the ship Oneida with books &c. presented by the different states for international exchanges, which was referred to the joint library committee.

(See Doc. No. 93.)

By unanimous consent,

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the better repairing certain roads in the town of Coeymans,' passed December 14, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman

Mr. Dimmick  
Mr. Fox

Mr. Skinner  
Mr. Snyder

Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Robinson	Mr. Williams
Mr. Curtis	Mr. Schoonmaker	23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Stone,  
The Senate then adjourned until 10 o'clock to-morrow morning.

## TUESDAY, MARCH 26, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Morgan presented the petition of Brown, Brothers, and other merchants of New-York for the repeal of the charter of the Dry Dock bank, which was referred to the committee on banks and insurance companies.

Mr. Fox presented the petition of trustees of school district No. 1 in the village of Herkimer for authority to raise money by tax to build a school house, which was referred to the committee on literature.

Mr. Schoonmaker presented two petitions of inhabitants of Ulster county for an amendment of the excise laws, which was sent to the Assembly under rule.

Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act to incorporate the Oswego Dry Dock and Marine railway company," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled 'An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 20, 1832 and the various acts amendatory thereof,' passed April 17, 1843, passed March 29, 1849," re-

ported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the act passed April 24, 1837 entitled, 'An act to incorporate the village of Black Rock and the several acts amending the same,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to enable religious societies to provide for their common expenses," reported in favor of the passage of the same without amendment.

Mr. Stanton moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Stanton from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," reported in favor of the passage of the same without amendment.

Mr. Stanton moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to enable trustees, receivers, and assignees to become petitioning creditors under article third, title first, chapter fifth, part second of the Revised Statutes," reported in favor of the passage of the same with amendment, which was committed to the committee of the whole.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to confirm certain securities and conveyances of land," reported in favor of the passage of the same with amendments.

On motion of Mr. Babcock,

*Ordered,* That said bill be referred to the committee on the judiciary to report complete.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to condense and amend the several acts relating to the village of Williamsburgh,' passed April 23, 1844," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act

further to amend the charter of the Troy savings bank," reported in favor of the passage of the same without amendment.

Mr. Carroll moved that said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," reported the same for the consideration of the Senate without amendment, which was committed to the committee of the whole.

Mr. Williams from a minority of the same committee reported in writing adverse to the passage of the same.

(See Doc. No. 91.)

Mr. Geddes, from a majority of the select committee to which was referred the bill entitled, "An act to authorise the formation of railroad corporations," and the amendments of the Assembly to said bill, and amending the title to read "An act to authorise the formation of railroad corporations and to regulate the same," reported in favor of concurring in said amendments.

Mr. Schoonmaker moved that said amendment be laid on the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The question being on concurring in said amendments,

The President put the question on concurring in the amendments of the Assembly to said bill except the amendment to the 31st section and the amendments adding the 51st section, and it was decided in the affirmative, as follows :

●  
FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Skinner
Mr. Beach	Mr. Curtis	Mr. Snyder
Mr. Beekman	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams

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The question being on concurring in the amendments of the Assembly to the 31st section, as follows :

Strike out sub-divisions one to fifteen inclusive, of section thirty-one, and insert the following :

Amount of capital stock as by charter.

Amount of capital stock subscribed.

Amount paid in as by last report.

Total amount now of capital stock paid in.  
 Funded debt by last report.  
 Total amount now of funded debt.  
 Floating debt as by last report.  
 Total amount now of floating debt.  
 Total amount now of funded and floating debt.  
 Average rate per annum of interest on funded debt.

*Cost of road and equipment.*

[NOTE.—Corporations whose construction accounts are closed, will so state in their reports, and omit the double queries.]  
 For graduation and masonry by last report.  
 Total amount now expended for the same.  
 For bridges per last report.  
 Total amount now expended for the same.  
 For superstructure, including iron, by last report.  
 Total amount now expended for the same.  
 For passenger and freight stations, building and fixtures, by last report.  
 Total amount now expended for the same.  
 For engine and car houses, machine shops and machinery and fixtures, by last report.  
 Total amount now expended for the same.  
 For land, land damages and fences, by last report.  
 Total amount now expended for the same.  
 For locomotives and fixtures and snow plows, by last report.  
 Total amount now expended for the same.  
 For passenger and baggage cars, by last report.  
 Total amount now expended for the same.  
 For freight cars by last report.  
 Total amount now expended for the same.  
 For engineering and agencies, by last report.  
 Total amount now expended for the same.  
 Total cost of road and equipment.

*Characteristics of road.*

Length of road.  
 Length of road laid  
 Length of double track, including sidings.  
 Length of branches owned by the company laid.  
 Length of double track on the same.  
 Weight of rail per yard on main track.  
 The number of engine houses and shops; of engines and cars, and their character.

It shall also be the duty of each corporation to transmit to the state engineer and surveyor the following maps, profiles, and drawings exhibiting the characteristics of their roads. The map to show the length and direction of each straight line and the length and radius of each curve, also the point of crossing of each town and



county line, and the length of line in each town and county accurately determined by measurements to be taken after the completion of the road. The profile to be on the map and shall show the grade line and surface of ground in the usual method, also the elevation of grades above tides at each change in the inclination thereof. The maps and profile to be made on a scale of five hundred feet to one-tenth of a foot, vertical scale of profile to be one hundred feet to one-tenth of a foot. For all roads or parts of roads now done or in operation the said maps shall be returned on or before the first day of January next, and for all roads now in progress or which may hereafter be constructed the said maps and profiles shall be returned within three months after the same or any portion thereof shall be in use.

*Doings of the year in transportation.*

Miles run by passenger trains.

Miles run by freight trains.

*Total miles run.*

The rate of fare for passengers, charged for the respective classes per mile.

[NOTE.—When trains are run with mixed business of passengers and freight, division of miles is to be made in proportion to the relative business done by these trains.]

Number of passengers carried in cars.

Number of miles travelled by passengers.

Number of tons of two thousand pounds of freight carried in cars.

Number of miles carried or total movement of freight in miles. [All to be accurately compiled from the daily records or evidences of earnings, manifest and way bills.]

Average rate of speed adopted by ordinary passenger trains including stops.

Average rate of speed adopted by ordinary passenger trains when in motion.

Average rate of speed adopted by express trains including stops.

Average rate of speed adopted by express trains when in motion.

Average rate of speed adopted by freight trains including stops.

Average rate of speed adopted by freight trains when in motion.

Average weight in tons of two thousand pounds of passenger trains exclusive of passengers and baggage.

Average weight in tons of freight trains exclusive of freight. [All to be accurately determined from the daily records of the trains, which records shall show the number and weight of cars, engines, &c., and the distance each and all have moved each trip.]

The amount of freight, specifying the quantity in tons, of the products of the forest, of animals, of vegetable food, other agricultural products, manufactures, merchandise, and other articles.

*Expenses of maintaining the road or real estate of the corporation.*

For repairs of road bed and railway excepting cost of iron, which shall be the cost of labor and materials used during the year, also use and cost of engines engaged in ballasting, also the renewal and repairs of gravel and stone cars, and all items of cost connected with keeping the road in order.

For depreciation of way.

Length, in feet, of iron used in renewals, with weight and cost.

Repairs of buildings.

Repairs of fences, gates, &c.

Taxes on real estate.

Total expenses of maintaining road or real estate for the year.

Expenses of machinery or personal property of the corporation.

Repairs of engines and tenders.

Depreciation of engines and tenders.

Repairs of passenger and baggage cars.

Depreciation of passenger and baggage cars.

Repairs of freight cars.

Depreciation of freight cars.

Repairs of machinery and tools in ships.

Incidental expenses, including fuel, oil, clerks, watchment, &c., about shops.

The expense of repairs of machinery, including depreciation.

*Expenses of use of road and machinery, or operating the road.*

Office expenses, stationery, &c.

Agents and clerks.

Labor handling freight, loading and unloading.

Porters, watch and switchmen.

Wood and water station attendance.

Conductors, baggage and brakemen.

Enginemen and firemen.

Fuel, (first cost and labor preparing for use.)

Oil and waste for engines and tenders.

Oil and waste for freight cars.

Oil and waste for passenger and baggage cars.

Loss and damage of goods and baggage.

Damages for injuries of persons.

Damages to property, including damages by fire, cattle killed on road, &c.

General superintendence.

*Contingencies.*

Total expenses of operating road.

The above statements are to be made without reference to the sums actually received or paid during the year. The following

statement of the earnings and cash receipts and payments are required.

*Earnings of the year in transportation.*

From passengers.

From freight.

From mail.

From other sources.

The above to be stated without reference to the amount actually collected.

Receipts during the year from freight.

From passengers.

From other sources specifying what in detail.

Payments for transportation expenses.

For interest.

Dividends on stock, amount and rate per cent.

Payments to surplus fund, and total amount of said fund.

The number of persons injured in life and limb, and the cause of the injury, and whether passengers or persons employed.

Whether any such accidents have arisen from carelessness or negligence of any person in the employment of the corporation, and whether such person is retained in the service of the corporation.

It shall be the duty of the state engineer and surveyor to arrange the information contained in such reports in a tabular form, and prepare the same, together with the said reports, in a single document, for printing, for the use of the legislature, and report the same to the legislature on the first day of its session in each year.

All the items under the heads of "expenses of maintaining the road or real estate of the corporation," "expenses of machinery or personal property of the corporation," "expenses of use of wood and machinery or property operating the road," shall be carried out under two heads, the one showing the cost of freight transportation the other the cost of passenger transportation.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Babcock

Mr. Beach

Mr. Beekman

Mr. Cook

Mr. Crolius

Mr. Crook

Mr. Cross

Mr. Dart

Mr. Fox

Mr. Geddes

Mr. Guinnip

Mr. Johnson

Mr. Mann

Mr. Miller

Mr. Morgan

Mr. Skinner

Mr. Tuttle

Mr. Upham

Mr. Williams

FOR THE NEGATIVE.

Mr. Colt	Mr. Robinson	Mr. Stanton	
Mr. Curtis	Mr. Schoonmaker	Mr. Stone	
Mr. Dimmick	Mr. Snyder		8

The question being on concurring in the amendment of the Assembly adding the following as section 51 :

"§ 51. Nothing contained in this act shall authorise or permit the New-York and Erie railroad company in any way to abandon the use of their road in the county of Rockland east of Suffern's depot."

Mr. Schoonmaker moved to amend the amendments of the Assembly to said bill by striking out all after the word "permit" and insert the following words "any existing railroad corporation to abandon the use of any part of its road so as to deprive any village or city through which the road now runs from the benefits of the road."

The President put the question whether the Senate would agree to the said amendment and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Schoonmaker	
Mr. Carroll	Mr. Guinnip	Mr. Snyder	
Mr. Colt	Mr. Noyes	Mr. Stanton	
Mr. Cross	Mr. Owen	Mr. Stone	
Mr. Curtis	Mr. Robinson	Mr. Tuttle	
Mr. Dimmick			16

FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Morgan	
Mr. Beekman	Mr. Geddes	Mr. Skinner	
Mr. Brown	Mr. Johnson	Mr. Upham	
Mr. Cook	Mr. Mann	Mr. Williams	
Mr. Crolius	Mr. Miller		14

Mr. Babcock moved that the Senate reconsider its vote adopting the amendment of Mr. Schoonmaker.

Mr. Babcock moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then proceeded to the consideration of executive business.

And after some time spent therein,

The Senate took a recess until 4 o'clock p. m.

## 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend an act to provide for the publication of the reports of the court of appeals," and after some time spent thereon, Mr. Robinson from said committee, reported in favor of the passage of the same with amendments.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Morgan	
Mr. Beach	Mr. Cross	Mr. Owen	
Mr. Beekman	Mr. Dimmick	Mr. Robinson	
Mr. Colt	Mr. Geddes	Mr. Schoonmaker	
Mr. Cook	Mr. Miller	Mr. Upham	15

## FOR THE NEGATIVE.

Mr. Brown	Mr. Fox	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stanton	
Mr. Crook	Mr. Noyes	Mr. Stone	
Mr. Curtis	Mr. Skinner	Mr. Tuttle	
Mr. Dart			13

*Ordered,* That said bill be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to extend the act passed April 7, 1827 entitled, 'An act to continue in force the act passed 24th February, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Geddes and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone

Mr. Crook  
Mr. Cross  
Mr. Curtis

Mr. Miller  
Mr. Morgan  
Mr. Noyes

Mr. Tuttle  
Mr. Upham

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Curtis from the select committee, to which was referred the bill entitled, "An act to amend an act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton, on the Delaware river," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Johnson, and by unanimous consent.

*Resolved*, That the bill entitled, "An act making an appropriation for the State Normal school building," be engrossed for a third reading.

Mr. Beach, from the committee on public printing, to which was referred the resolution of Mr. Geddes in favor of printing extra numbers of the report of the committee on medical societies and colleges on the subject of the cholera, reported and offered the following resolution.

*Resolved*, That five times the usual number of said report be printed.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The President laid before the Senate the report of the canal board on the bill from the Assembly entitled, "An act to improve the navigation of the Seneca river at Baldwinsville in the county of Onondaga," in answer to a resolution of the Senate of March 9th, and also a communication from a minority of the canal board (Mr. Follett and Mr. Chatfield) on the same subject, which was committed to the committee of the whole.

(See Doc. No. 94.)

A bill was received from the Assembly for concurrence entitled, "An act to provide for the speedy disposition of certain suits," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Johnson, and by unanimous consent,

Said bill was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brandreth

Mr. Curtis  
Mr. Dart  
Mr. Dinwiddie

Mr. Noyes  
Mr. Robinson  
Mr. Schoonmaker

Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Morgan

Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Governor, in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 23, 1850.* }

*To the Senate :*

I have this day approved and signed the following bills :

"An act to enable the Seneca road company to sell parts of their road to plank road companies, and to abandon some parts of their road."

"An act making the village of Morrisville a separate road district."

"An act to authorise Alexander T. Stewart to continue and complete his present store on Broadway in the city of New-York."

HAMILTON FISH.

Mr. Schoonmaker moved that the Senate reconsider its vote on the final passage of the bill entitled, "An act for the improvement of Rackett river and its tributaries."

Mr. Schoonmaker moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to the motion to lay the motion to reconsider on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to the motion to reconsider said vote, and it was decided in the negative.

Mr. Stanton offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the bill entitled, "An act granting the Cayuga and Susquehannah railroad company the use of a pier in the Cayuga lake," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Morgan,

*Resolved*, That the Senate bill entitled, "An act in relation to the board of health of the city of New-York," be referred to the committee on medical colleges to report complete.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to amend the Revised Statutes in relation to courts of special sessions and to regulate the police of the town of Water-vliet."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Williams

24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Guinnip moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to extend the lines of certain lots in the city of Buffalo and the village of Black Rock."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.



A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to legalize the acts of Lysander B. Brown, a justice of the peace, in the county of Chautauque."

"An act to amend an act entitled, 'An act to establish courts of civil and criminal jurisdiction in the county of Brooklyn,' passed March 24, 1849."

"An act to extend the charter of the Schoharie Central bridge company."

"An act to authorise the election of a special county judge in the county of Ulster."

"An act to release the restrictions and conditions in a grant made by letters patent to Abraham Varick."

"An act in relation to the fees of the county treasurer of Erie county."

"An act authorising Mary Ann Skiddy to hold real estate."

"An act in relation to the width of highways in the town of Claverack."

"An act to authorise the Cherry Valley and Canajoharie plank road to borrow money."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following bills:

"An act to amend an act entitled, 'An act to incorporate the Hudson orphan and relief association,' passed April 21, 1846."

"An act to confirm the proceedings of the board of supervisors of Allegany county."

"An act in relation to the Lewiston railroad company."

"An act to amend an act to provide for the incorporation of villages passed December 7, 1847, so far as relates to the village of Niagara Falls."

*Ordered*, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the consolidation of the Tonawanda railroad company, and the Attica and Buffalo railroad company into a single corporation, and prescribing the powers of such corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Seneca Falls plank road company to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act entitled, 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed March 30, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the mortgage, lease, or sale of real estate pursuant to a surrogate's order," which was read the first time, and by

unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the eastern Dispensary of the city of New-York,' passed April 25, 1832," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

A bill was received from the Assembly for concurrence entitled, "An act authorising the board of supervisors of the county of Wayne to audit and allow the account of John C. Bannister," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to further amend 'An act incorporating the Buffalo and Hamburg turnpike company,' passed January 23, 1830," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act authorising Electa Bradley and her children to change their names," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act to alter the commissioner's map of the city of Brooklyn and for other purposes,' passed May 12, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act further to amend an act entitled, 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to amend the Revised Statutes in relation to division fences," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Luther M. Mason to establish and continue a ferry across Chautauque lake in the county of Chautauque," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act concerning passengers arriving at the ports of entry and landing in this State,' passed De-

ember 10, 1847, and the act amendatory thereof, passed April 11, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Edward Hubbard of the town of Cornwall, and Christopher B. Miller and Thomas J. De Lancy of the town of New Windsor, to establish and continue a ferry across the Hudson river from the town of Cornwall in the county of Orange to Cold Spring in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Rochester savings bank to loan its funds to the county of Monroe and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to make certain pauper expenses town charges in Dutchess county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Charles B. Carpenter," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to unite the two railroad companies between Syracuse and Rochester into one company and to provide for the construction of a more direct and level railroad between said cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to revive the incorporation of the village of Whitesborough and to vest further powers in the trustees of said village,' passed February 23, 1821," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act establishing a ferry across the Hudson river from Howard's wharf or dock at Breakneck, in the town of Phillips in the county of Putnam, to the west shore of the Hudson river aforesaid in the town of Cornwell in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the emigrant industrial savings bank," which

was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the assistants appointed by the surrogate of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to authorise the Canal Board to assume in behalf of the State, the Dansville slip and basin,' passed April 4, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to provide for filling of vacancies in the office of justice of the peace by special town meeting," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act granting lands under water in the village of Cold Spring, Putnam county, to Henry Holden," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Odd Fellows' hall association of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for county treasurers to take the oath of office and file their official bond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act passed April 27, 1847, authorising the incorporation of rural cemetery associations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act incorporating the village of Little Falls by the name of Rockton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act in settlement of the claims of the first christian party of Oneida Indians,' passed April 9, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Henry Brother to maintain a dam across the Conhocton river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act extending the time to John Garrison for continuing and regulating a ferry across the Hudson river in the town of Phillips in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to improve the quality of salt manufactured in the county of Onondaga and to protect the purchasers of the same, and to furnish brine for the use of the city of Syracuse," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the manufacture of salt.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Comptroller to pay certain moneys to commissioners for building a bridge across the Tonewanda creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act for the more effectual protection of the property of married women,' passed April 7, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled, "An act to determine and decide the public utility of a railroad from some point in the city of Troy at or near the bridge across the Hudson river, to some point in the railroad of the Troy and Greenbush railroad association within said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act authorising Robert William Roberts to change his name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to restrain short measure in the sale of dry goods," which was read the first time, and by unanimous consent was also read the

second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence entitled, "An act to extend the charter of the Chautauque mutual insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the farmer's mutual insurance company of Erie county,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to create the office of county judge of the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the trustees of the village of Oneida Castle to convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the President, directors and company of the fourth great western turnpike road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to amend the eighth title of chapter eight, of part third of the Revised Statutes, entitled of proceedings for the collection of demands against ships and vessels," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise any company that may be chartered by the Legislature of the State of Connecticut at its next session, to construct a portion of their railroad in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the division of school district number eight in the town of Rosendale in the county of Ulster," which was read

the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act for the better security of mechanics erecting buildings and furnishing materials therefor in the county of Richmond,' passed May 11, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the fire department of the village of Watertown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Stone gave notice that he would, at an early day, ask leave to bring in a bill to amend the Revised Statutes in relation to the assessment of taxes.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the bill entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," be made a special order for Wednesday next at 11 o'clock a. m.

Mr. Crolius moved to amend said resolution, by referring said bill to the committee on the judiciary to report as to its constitutionality.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Cross moved to amend said resolution, by striking out "Wednesday next at 11 o'clock," and insert "Thursday next at 11 o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. Guinnip moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to increase the capital stock of the Aurora and Buffalo plank road company," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Guinnip,

*Resolved*, That Senate bill No. 186, to amend the militia laws of this State, be made the special order for Thursday next at 11 o'clock a. m.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act authorising the canal board to abandon the Fort Miller dam and the use of the side cut at Fort Miller, as an appendage to the Champlain canal."

"An act to pay Alexander Hubbard certain rewards under a proclamation of Governor Young."

"An act authorising the canal commissioners to build a bridge across the Erie canal at Genesee street, in the city of Buffalo."

"An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson."

"An act to amend 'An act to incorporate the village of Fayetteville,' passed May 6, 1844."

*Ordered*, That said bills do have their third reading.

Mr. Geddes, from the select committee of eight, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

"An act to incorporate the firemen of the Williamsburgh," to Messrs. Cross, Brown and Crolius.

"An act to release the interest of the State in certain real estate of which James Fox died seised to Michael Fox and his assigns," to Messrs. Johnson, Cross and Tuttle.

"An act to incorporate the Thistle benevolent association of the city of New-York," to Messrs. Stanton, Williams and Morgan.

"An act in relation to the location of a gate on the Lockport and Warren corners plank road," to Messrs. Upham, Miller and Colt.

"An act to confirm the official acts of Silas A. Webb a justice of the peace in the county of Jefferson," to Messrs. Skinner, Mann and Geddes.

"An act authorising county clerks to appoint special deputies," to Messrs. Colt, Babcock and Robinson.

"An act in relation to wood lands in the town of Huntington, Islip, and Smithtown in the county of Suffolk," to Messrs. Brown, Cross and Babcock.

"An act in relation to interments in certain cities and villages," to Messrs. Cross, Williams, Crolius, Beekman, Morgan, Brown and Brandreth.

"An act to incorporate the south Brooklyn savings institution," to Messrs. Cook, Cross and Snyder.

"An act to provide for a supply of water in the city of Albany," to Messrs. Johnson, Cook and Dimmick.

"An act to regulate the salary of the district attorney of the county of Rockland," to Messrs. Brandreth, Cross and Curtis.

"An act to alter the commissioners, map of the city of Brooklyn," to Messrs. Cross, Dimmick and Tuttle.

"An act in relation to the fees of sheriff's in certain cases and to the return by them of executions by mail," to Messrs. Dimmick, Crook and Tuttle.

"An act to authorise the Little Falls and Salisbury plank road company to mortgage their road," to Messrs. Fox, Mann and Crook.



"An act to incorporate the United States mail steam ship company," to Messrs. Schoonmaker, Brown and Beekman.

"An act to amend the charter of the city of Auburn," to Messrs. Beach, Crolius and Tuttle.

"An act to authorise Benjamin Hook of the city of New-York, rigger, to change his name," to Messrs. Beekman, Brandreth and Crolius.

"An act in relation to mutual insurance companies," to Messrs. Crook, Upham and Crolius.

"An act to amend an act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," to Messrs. Johnson, Cross and Snyder.

On motion of Mr. Geddes,

*Resolved*, That Friday, after the reading of the journal, in each week, until further ordered, be set apart for the consideration of claims

Mr. Skinner offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the bill authorising the commissioners of highways of the town of Brownville to borrow money, be taken from the committee of the whole and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Miller,

*Resolved*, That the bill entitled, "An act to amend the act entitled, 'An act to vest in the board of supervisors certain legislative powers, and to prescribe the fees for certain services,' passed April 3, 1849, so far as relates to the county of Monroe," be made the special order for Wednesday next at one o'clock, p. m.

In pursuance of previous notice,

Mr. Crolius asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled, "An act to provide for the construction of a bridge across the Tonewanda creek at Tonewanda, and to authorise a loan to the counties of Erie and Niagara for that purpose," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Babcock,

*Ordered*, That said bill be referred to the committee on roads and bridges to report complete.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the Cayuga county mutual insurance company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled, "An act in relation to the government of the Marine hospital," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Carroll offered for the consideration of the Senate, the following preamble and resolution, to wit :

*Resolved*, That the bill relative to a library for the attorney general, be ordered to a third reading.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Williams,

The Senate proceeded to the consideration of the report of the committee of the whole on the bill entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York," and the question being on agreeing to the report of the committee of the whole,

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

On motion of Mr. Cross,

*Resolved*, That the Assembly bill No. 35 entitled, "An act providing for the appraisal and payment of canal damages to the heirs of John Fort," be recommitted to the committee on claims, and that it retain its place on the general orders.

Mr. Carroll moved that the Senate do now resolve itself into a committee of the whole on the bill entitled, "An act making an appropriation for the purchase of a library for the attorney general."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Geddes	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Morgan	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Fox		

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FOR THE NEGATIVE.

Mr. Beach	Mr. Cross	Mr. Miller
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Williams,
Mr. Crook		

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On motion of Mr. Brown,  
The Senate then adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, MARCH 27, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Starks.

The journal of yesterday was read and approved.

Mr. Johnson presented the remonstrance of inhabitants of Albany against the bill to provide for supplying the city of Albany with water, which was referred to the select committee having in charge the bill on that subject.

Mr. Beach presented the petition of H. H. Cooley for a law to pay him the amount of a judgment against the State in his favor, which was referred to the committee on state prisons.

Mr. Schoonmaker presented the petition of inhabitants of Ulster county for the establishment of boards of health, which was referred to the committee on the judiciary.

Mr. Crook presented the petition of inhabitants of Clinton county for the improvement of the Great Chazy river and for an appropriation therefor, which was referred to the committee on finance.

Mr. Crolus from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act to restrain short measure in the sale of dry goods," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the several acts relating to the city of Schenectady," reported in favor of the passage of the same without amendment.

On motion of Mr. Johnson, and by unanimous consent,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act incorporating the village of Plattsburgh and the acts amendatory thereof," reported in favor of the passage of the same without amendment.

On motion of Mr. Johnson, and by unanimous consent,

*Ordered*, That the said bill be engrossed for a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to incorporate the fire department of the village of Watertown," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to revive the incorporation of the village of Whitesborough and to vest further powers in

the trustees of said village,' passed February 23, 1821," reported in favor of the passage of the same without amendment.

On motion of Mr. Cross, and by unanimous consent,

Said bill was ordered referred to a select committee to report complete.

*Ordered*, That Messrs. Mann, Beckman and Noyes be said committee.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act imposing tolls on freight transported on the New-York and Erie railroad," also "An act imposing tolls upon freight transported on the Saratoga and Schenectady and the Rensselaer and Saratoga railroad companies," reported in writing, and offered the following resolutions, to wit:

*Resolved*, That it is inexpedient at this time to impose canal tolls upon the New-York and Erie railroad company.

*Resolved*, That it is inexpedient at this time to impose canal tolls upon the Saratoga and Schenectady and Rensselaer and Saratoga railroad companies.

*Resolved*, That it is inexpedient at this time to abolish all tolls upon freight transported upon the central and other existing railroad companies.

*Resolved*, That it is inexpedient to abolish canal tolls upon live stock and fresh meat transported upon any railroad in this State.

(See Doc. No. 95.)

Mr. Johnson moved said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Geddes moved that five times the usual number of said report be printed.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Morgan, from a majority of the committee on finance, reported the bill entitled, "An act to authorize the transportation of live stock and fresh meat on railroads free from canal tolls," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill entitled, "An act relative to the public health in the city of New-York," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robinson from the committee on medical colleges and societies, to which was referred the bill from the Assembly entitled, "An act to incorporate the New-York medical college," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Beckman moved that said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the eastern Dispensary of the city of New York,' passed April 25, 1832," reported in favor of the passage of the same without amendment.

Mr. Williams moved said bill be referred to a select committee to report complete.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the petition of the trustees of the college of Pharmacy for a donation of \$10,000, reported the following resolution, to wit :

*Resolved*, That the standing committee on medical societies and colleges be discharged from the further consideration of the memorial of the officers and trustees of the college of Pharmacy, of the city of New-York, and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the memorial of John B. Rich for the incorporation of Rich's institute for physical training in the city of New-York, reported the following resolution, to wit :

*Resolved*, That the standing committee on medical societies and colleges be discharged from the further consideration of the memorial of John B. Rich and others praying for the passage of an act to incorporate Rich's institute for physical training, as the object can be obtained in the opinion of the committee under the provisions of the act providing for general incorporation of charitable and religious societies, passed in 1848.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Robinson from the committee on medical societies and colleges, to which was referred a resolution requesting said committee to report as to the propriety of a law to exempt physicians from serving on juries, reported the following resolution, to wit :

*Resolved*, That as the Code makes provision for the above object the committee be discharged from its further consideration.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Elias Stilwell," reported in favor of the passage of the same without amendments, which was committed to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Henry P. Voorhees," reported in fa-

vor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to amend the charter of the Cayuga county Mutual insurance company," reported in favor of the passage of the same without amendment.

On motion of Mr. Beach and by unanimous consent,

*Ordered*, That said bill be engrossed for a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Monroe county savings bank," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Beekman from the committee on literature, to which was referred the bill entitled, "An act to amend the charter of the city of Auburn," reported in favor of the passage of the same with amendments, and the title altered to read "An act to regulate the free schools in the city of Auburn."

Mr. Beach moved that said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Beach from the committee on public printing, to which was referred the resolution of Mr. Geddes in favor of printing extra numbers of the report of the majority of the committee on finance, on the subject of railroad tolls, reported the following resolution, to wit:

*Resolved*, That five times the usual number of said report be printed.

The President put the question whether the Senate would agree to the said resolution and it was decided in the affirmative.

Mr. Williams, from the committee on commerce and navigation, to which was referred a bill from the Assembly entitled, "An act to amend the act incorporating the Pacific mail steam ship company," reported in favor of the passage of the same without amendment.

Mr. Johnson moved that said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend an act to establish a turnpike corporation for improving and making a road from the village of Newburgh on the Hudson river, to Cohecton on the Delaware river."

"An act making an appropriation for the Normal school building."

"An act to increase the capital of the Aurora and Buffalo plank road company."

"An act to amend the 'Act to provide for the publication of the reports of the courts of appeals,' passed April 11, 1848."

*Ordered*, That said bills do have their third reading.

Mr. Beach from the committee on State prisons, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the agent of the Auburn state prison to pay a judgment against the State in favor of H. H. Cooley and others," which was read the first time, and by unanimous consent was read a second time.

Mr. Beach moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to a select committee of eight.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to confirm certain securities and conveyances of land," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Miller from the committee on roads and bridges to which was referred the petition for that purpose, reported a bill entitled, "An act relating to the western 10 miles of the eastern branch of the Schoharie turnpike road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Mann, from the committee on poor laws, to which was referred the bill from the Assembly entitled, "An act to make certain pauper expenses town charges in Dutchess county," reported in favor of the passage of the same without amendment.

On motion of Mr. Snyder, and by unanimous consent,

*Ordered,* That said bill do have its third reading.

Mr. Brown, from the select committee to which was referred the bill from the Assembly entitled, "An act to incorporate the United States mail steamship company," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Brown, from the select committee, to which was referred the bill entitled, "An act in relation to woodlands in the towns of Huntington, Islip and Smithtown in the county of Suffolk," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson, from the select committee to which was referred the bill from the Assembly entitled, "An act to provide for a supply of water in the city of Albany," reported the same complete without amendment.

Mr. Mann moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cook, from the select committee to which was referred the bill entitled, "An act to incorporate the South Brooklyn savings institution," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson, from the select committee to which was referred the

bill entitled, "An act to amend an act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,'" reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson, from the select committee, to which was referred the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which James Fox died seised to Michael Fox and his assigns," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the select committee, to which was referred the bill from the Assembly entitled, "An act to alter the commissioners' map of the city of Brooklyn," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Skinner, from the select committee to which was referred the bill entitled, "An act to authorise Norris M. Woodruff and Samuel Stocking to remove a ledge of rocks in the bed of Indian river," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Guinnip, from the committee on militia and public defence, to which was referred the bill from the Assembly entitled, "An act for the relief of Captain Titus Felix Gazinski, late of the first regiment of the New-York volunteers, for raising, boarding and drilling troops of said regiment previously to their being mustered into the service of the United States," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the select committee to which was referred the bill entitled, "An act authorising county clerks to appoint special deputies," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dimmick, from the select committee to which was referred the bill from the Assembly entitled, "An act in relation to the fees of sheriffs in certain cases and to the return of executions by mail," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the committee on finance, to which was referred the bill entitled, "An act authorising a loan to the town of Alfred and to authorise the town of Alfred to reloan the same money to the trustees of Alfred academy," reported the same complete with amendments.

Mr. Robinson moved to amend said report, by striking out the words "seven thousand dollars," and insert "ten thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.



Mr. Brandreth, from the select committee, to which was referred the bill entitled, "An act to repeal 'An act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," to report complete, reported the following resolution :

*Resolved*, That the select committee to whom was referred the report of the committee on roads and bridges relative to the repeal of "An act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," be discharged from the further consideration of the same, and that the subject be referred to the committee of the whole.

Mr. Cross moved to amend said resolution so as to refer said bill to the committee on roads and bridges to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message was received from the Governor in the words following :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 26, 1850. }*

*To the Senate :*

I have this day approved and signed the bill entitled, "An act to amend the act to divide the sixth and seventh wards and to establish the boundaries and civil divisions of the city of Brooklyn, passed March 23, 1850."

HAMILTON FISH.

The Assembly returned the concurrent resolutions in relation to the amendment of the constitution, with a message informing that they have concurred in the same.

The President laid before the Senate the abstract of the annual report of the treasurer of the sailor's snug harbor, which was referred to the committee on charitable and religious societies.

(*See Doc. No. 104.*)

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill relative to the fees of counsel in the matter of opening streets in the city of New-York.

In pursuance of previous notice,

Mr. Stanton asked for and obtained leave to introduce a bill entitled, "An act to confirm the action of the board of trustees of the village of Seneca Falls in purchasing a cemetery and in selling lots

therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Skinner,

*Resolved*, That the bill from the Assembly authorising the county of Jefferson to borrow money, be taken from the committee of the whole and referred to the standing committee on finance to report complete.

On motion of Mr. Geddes,

*Resolved*, That the Assembly bill entitled, "An act to improve the navigation of Seneca river at Baldwinsville in the county of Onondaga," be made the special order for Monday next immediately after reading the journal.

On motion of Mr. Colt,

*Resolved*, That the bill from the Assembly in relation to the collection of taxes on lands of non-residents and to provide for the sale of lands returned for unpaid taxes in the counties where they were assessed, be made the special order for Thursday afternoon at 4 p. m.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, (if the Assembly concur,) That in the opinion of this Legislature Congress should provide by law for the publication and free distribution of a uniform and authentic edition of the decisions of the supreme court of the United States throughout the several states and territories, in the same manner as has already been adopted for the circulation of the national statutes.

*Resolved*, (if the Assembly concur,) That the Governor be requested to forward a copy of the foregoing resolution to each of the Senators and Representatives in Congress from this State.

Mr. Mann moved said resolutions be postponed until the 11th of April.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

*Ordered*, That the said resolutions be laid upon the table.

On motion of Mr. Williams,

The Senate proceeded to the consideration of the question on concurring in the amendments of the Assembly to the bill entitled, "An act to release to the relatives of Emma Hughes, late of London, England, deceased, the right of the people of the State of New-York in certain personal property."

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner

Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Fox  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Snyder  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

On motion of Mr. Brandreth,

*Resolved*, That the report of the committee on roads and bridges relative to the act relating to the Patterson and Peekskill road, be made the special order for Saturday next at 11 o'clock.

On motion of Mr. Colt,

*Resolved*, That Assembly bill entitled, "An act to legalise the acts of William McCracken in the conveyance of real estate," be recommitted to the judiciary committee to report complete.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the bill from the Assembly to amend the charter of the village of Rome, be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the act to amend the several acts relating to the village of Medina, be taken from the general orders and referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Cross,

The bill from the Assembly entitled, "An act making appropriations in part for certain hospitals," be made the special order for Tuesday next immediately after executive session.

On motion of Mr. Carroll,

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to procure a law library for the office of the Attorney General," and after some time spent thereon, Mr. Beekman, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Morgan,

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to allow contracts of loan and forbearance on personal security for short periods," and after some time spent thereon, Mr. Robinson, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on

the special order for the day, being the bill entitled, "An act for the relief of W. W. Niles," and after some time spent thereon, Mr. Guinnip, from said committee, reported progress, and asked leave to sit again.

Mr. Mann moved that the committee of the whole be discharged from the further consideration of the said bill, and that the same be referred to a select committee to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Mann, Stone and Cook, be said committee.

Mr. Cook moved that the third reading of bills be made the special order for this afternoon at 4 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the salary of policemen in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Hemlock lake turnpike company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to excise in the village of Cohoes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The bill entitled, "An act authorising the Canal Commissioners to build a bridge across the canal at Genesee street in the city of Buffalo," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Carroll  
Mr. Colt

Mr. Curtis  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes

Mr. Morgan  
Mr. Owen  
Mr. Robinson  
Mr. Schoonmaker

Mr. Cook	Mr. Johnson	Mr. Skinner	
Mr. Crolius	Mr. Mann	Mr. Tuttle	
Mr. Crook	Mr. Miller	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act to establish a turnpike corporation for improving the road from Newburgh on Hudson river to Cochection on the Delaware river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Noyes	
Mr. Carroll	Mr. Geddes	Mr. Owen	
Mr. Colt	Mr. Guinnip	Mr. Robinson	
Mr. Crolius	Mr. Johnson	Mr. Schoonmaker	
Mr. Crook	Mr. Mann	Mr. Skinner	
Mr. Cross	Mr. Miller	Mr. Tuttle	
Mr. Dimmick	Mr. Morgan	Mr. Williams	21

*Ordered*, That the Clerk deliver said amendment to the Assembly and request their concurrence therein.

The bill entitled, "An act to authorise the Canal Board to abandon the Fort Miller dam and the use of the sidecut at Fort Miller as an appendage to the Champlain canal," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan	
Mr. Beach	Mr. Dimmick	Mr. Owen	
Mr. Beekman	Mr. Fox	Mr. Robinson	
Mr. Brown	Mr. Geddes	Mr. Schoonmaker	
Mr. Carroll	Mr. Guinnip	Mr. Skinner	
Mr. Colt	Mr. Johnson	Mr. Snyder	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Miller	Mr. Williams	
Mr. Crook			25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Babcock,

The Senate proceeded to the consideration of the bill entitled, "An act to authorise the formation of railroad corporations and to regulate the same."

The question being whether the Senate would reconsider its vote

adopting the amendments offered by Mr. Schoonmaker to the amendments of the Assembly as the 51st section.

The President put the question whether the Senate would agree to reconsider said vote, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
		21

FOR THE NEGATIVE.

Mr. Beach	Mr. Curtis	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	
		8

The President then put the question whether the Senate would agree to said amendment of Mr. Schoonmaker, and it was decided in the negative.

The question then being on concurring in the amendments of the Assembly, adding the following as section 51 :

" § 51. Nothing contained in this act shall authorise or permit the New-York and Erie railroad company in any way to abandon the use of their road in the county of Rockland east of Suffern's depot."

Mr. Dimmick moved to amend the amendment of the Assembly by striking out of said section the words " in any way."

The President put the question whether the Senate would agree to the said motion of Mr. Dimmick, and it was decided in the affirmative.

Mr. Johnson moved to reconsider the vote adopting the amendment of Mr. Dimmick.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would concur in the amendments of the Assembly as amended, and it was decided in the affirmative as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder

Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Crook	Mr. Morgan	Mr. Williams	
M. J. Cross	Mr. Noyes		26

## FOR THE NEGATIVE.

Mr. Curtis	Mr. Guinnip	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill with an additional amendment.

The bill entitled, "An act to amend the act to provide for the publication of the reports of the court of appeals, passed April 11, 1848," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen	
Mr. Beach	Mr. Dimmick	Mr. Robinson	
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Johnson	Mr. Upham	
Mr. Cook	Mr. Miller	Mr. Williams	
Mr. Crolius	Mr. Morgan		14

## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Fox	Mr. Skinner	
Mr. Brown	Mr. Guinnip	Mr. Snyder	
Mr. Carroll	Mr. Mann	Mr. Stanton	
Mr. Crook	Mr. Noyes	Mr. Tuttle	
Mr. Dart			13

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to increase the capital stock of the Aurora and Buffalo plank road company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton

Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	29

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Oswego dry dock and marine railway company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beckman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook		28

FOR THE NEGATIVE.

Mr. Mann	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to grant to the heirs of James Lumbard the right of the people of this State to the property of Amasa Kelson," was read the third time and lost, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Guinnip	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Noyes	14

FOR THE NEGATIVE.

Mr. Beach	Mr. Crolius	Mr. Skinner
Mr. Beckman	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Geddes	Mr. Upham
Mr. Colt	Mr. Miller	Mr. Williams
Mr. Cook		13



By unanimous consent,

Mr. Mann moved to reconsider the vote on the final passage of said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mann moved that said bill be referred to the committee on charitable and religious societies.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled, "An act to pay Alexander Hubbard certain rewards under the proclamation of Governor Young," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act making an appropriation to the Normal School building," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

28

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to amend the charter of the Cayuga county mutual insurance company,' passed March 20, 1837," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend 'An act to incorporate the village of Fayetteville,' passed May 6, 1844," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to condense and amend the several acts relating to the charter of the village of Skaneateles," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Morgan	

29

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the public health of the city of New-York," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	

17

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Mann	Mr. Owen
Mr. Beekman	Mr. Noyes	

5

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein. .

Mr. Carroll from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act authorising county clerks to appoint special deputies."

*Ordered,* That said bill do have its third reading.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Owen

Mr. Brown	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Tuttle

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to confirm certain securities and conveyances of land," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dimmick	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Owen
Mr. Colt	Mr. Geddes	Mr. Robinson
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Owen
Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Crook,  
The Senate then adjourned until 10 o'clock to-morrow morning.

## THURSDAY, MARCH 28, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Mann presented three remonstrances of inhabitants of Albany against the bill to supply the city of Albany with pure and wholesome water, which were laid on the table.

Messrs. Stanton and Mann presented two petitions of inhabitants of Seneca and Oneida counties, for the repeal of the free school law, which were referred to the committee of the whole.

Mr. Colt presented the petition of inhabitants of Ontario county for aid to the Geneseo academy, which was referred to the committee on finance.

Mr. Stanton presented the petition of Hotchkiss and Smith for relief from loss of property in Sing Sing state prison, which was referred to the committee on state prisons.

Mr. Brown presented the petition of the town officers of the town of Flushing, Queens county, for authority to raise money by tax, which was referred to the committee on the judiciary.

Mr. Fox presented the petition of the Fort Plain and Cooperstown plank road company for the passage of a law to borrow money and increase the number of directors, which was referred to the committee on roads and bridges.

Mr. Miller presented the memorial of the association for the benefit of colored orphans in reference to the property of Amasa Kelson, now the property of the State, which was referred to the committee on charitable and religious societies.

Mr. Colt presented the petition of inhabitants of Ontario county asking the Legislature to prevent the sale of intoxicating drinks, which was sent to the Assembly under rule.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act for the relief of certain purchasers of lands in the Oneida reservation in 1840 and 1841 and subsequent thereto," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled "An act to authorise the comptroller to loan money to the county of Jefferson," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the committee on banks and insurance companies, reported the bill entitled, "An act to enforce the payment of taxes by the agents of certain insurance companies," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Stanton moved said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Cook from the committee on banks and insurance companies, to which was referred so much of the message of the Governor as relates to banks and banking, reported the bill entitled, "An act to amend the 'Act to provide for the incorporation of insurance companies,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanton moved said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to confirm the action of the board of trustees of the village of Seneca Falls in purchasing a cemetery and in selling lots therein," reported in favor of the passage of the same without amendment.

On motion of Mr. Stanton,

Said bill was referred to the committee on charitable and religious societies to report complete.

Mr. Robinson from the committee on canals, to which was referred the petition for that purpose, reported the bill entitled, "An act to secure the public highway across the foot of Seneca lake, in protecting the Cayuga and Seneca canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanton moved that said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to authorise Henry Brother to maintain a dam across the Conhocton river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt moved that said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to amend the Revised Statutes in relation to division fences," reported in favor of the passage of the same without amendments, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and

counties, to which was referred the bill from the Assembly entitled, "An act authorising the board of supervisors of the county of Wayne to audit and allow the account of John C. Bannister," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to change the name of Oliver P. Buck to Oliver P. Wetthey," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act in relation to excise in the village of Cohoes," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Mann from the committee on the judiciary, to which was referred the bill entitled, "An act to settle the controversies existing between the State of New-York and certain occupants and claimants of land and to confirm the title to said lands," reported in favor of the passage of the same in writing, which was committed to the committee of the whole.

(*See Doc. No. 96.*)

Mr. Crolius moved that 20 times the usual number of the said report be printed.

*Ordered*, That said motion be referred to the committee on public printing.

Mr. Stanton from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to confirm the acts of the board of trustees of the village of Seneca Falls in purchasing a cemetery and in selling lots therein," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The special order of the day being the bill entitled, "An act to authorise the sale of certain arsenals and other property, and to provide for the safe keeping of the arms and property belonging to the State," being called,

Mr. Johnson moved said special order be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. Snyder, from said committee, reported in favor of the passage of the same with

amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to vest in boards of supervisors certain legislative powers and to prescribe the fees for certain services,' passed April 3, 1849, so far as the same relates to the county of Monroe," and after some time spent thereon, Mr. Cross, from said committee, reported the bill to the Senate with the enacting clause stricken out.

Mr. Miller moved to amend the report of the committee of the whole by restoring the enacting clause to the bill.

Mr. Miller moved that said motion of to amend the report of the committee of the whole be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Morgan moved that the Senate reconsider its vote refusing to lay on the table the motion of Mr. Miller.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to the said motion of Mr. Miller, to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," and after some time spent thereon, Mr. Dimmick, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

On motion of Mr. Cross,

The Senate proceeded to the consideration of the bill entitled, "An act granting to Henry C. Murphy the land under water in front of his land in New Utrecht," and the question being on agreeing to the report of the committee, amending the title to read "An act to amend the Revised Statutes relating to grants of land under water."

The President put the question whether the Senate would agree to said report, and it was decided in the negative.

Mr. Stanton moved that the Senate reconsider its vote on agreeing to the report of said committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.



Mr. Morgan moved that the question on agreeing to the report of the committee lie on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act in relation to the prices of wharfrage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," and after some time spent thereon, Mr. Skinner, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act for the more effectual prevention of fires in the city of New-York and to amend the acts heretofore passed for that purpose,' passed March 7, 1849," which was read the first time, and by unanimous consent was read a second time.

On motion of Mr. Crolius, and by unanimous consent,

Said bill was referred to a select committee consisting of Senators from the 3d, 4th, 5th, and 6th districts, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Cross,

Said bill was referred to the committee on the judiciary to report complete.

The President laid before the Senate a communication from the commissioners of the Canal Fund in answer to a resolution of the Senate of March 14, in relation to expenditures on the canal, which was laid on the table.

(See Doc. No. 97.)

The Assembly returned the bill entitled, "An act to authorise the formation of railroad corporations and to regulate the same," with a message informing that they have concurred in the amendments of the Senate to the amendments of the Assembly to said bill.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following bills:

"An act to extend the lines of certain lots in the city of Buffalo and the village of Black Rock."

"An act to amend the Revised Statutes in relation to courts of special sessions and to regulate the police in the town of Water-vliet."

"An act to release to the relatives of Emma Hughes, late of London, deceased, the interest of the people of the State of New-York in certain personal property."

Ordered, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled,

"An act to confirm certain securities and conveyances of land."

*Ordered,* That said bill be returned to the Assembly.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 28, 1850.* }

*To the Senate :*

I have this day approved and signed the following bills :

"An act to authorise the Cherry Valley and Canajoharie plank road company to borrow money."

"An act to release the restrictions and conditions in a grant made by letters patent to Abraham Varrick."

"An act to legalize the acts of Lysander B. Brown, a justice of the peace in the county of Chautauque."

"An act in relation to the fees of the county treasurer of Erie county."

"An act to amend 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Niagara Falls."

"An act to confirm the proceedings of the board of supervisors of the county of Allegany."

"An act to amend an act entitled, 'An act to incorporate the Hudson orphan and relief association,' passed April 21, 1846."

"An act authorising Mary Ann Skiddy to hold real estate."

"An act in relation to the width of highways in the town of Claverack."

"An act to amend 'An act to establish boards of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849."

"An act in relation to the Lewiston railroad company."

HAMILTON FISH.

On motion of Mr. Snyder,

The Senate then adjourned until 10 o'clock to-morrow morning.

FRIDAY, MARCH 29, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Starks.

The journal of yesterday was read and approved.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act to

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provide for the payment of canal damages to Charles W. Woolston, Erastus Hughes, Cicero Collins, Asahel Barber and Henry Pardee," and after some time spent thereon, Mr. Brown, from said committee, reported progress and asked leave to sit again.

Mr. Miller moved that the question on granting leave to said committee to sit again be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to pay Thomas Marvine for the loss of a horse while acting under the direction of the sheriff of Delaware county," and after some time spent thereon, Mr. Dimmick, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Crolius, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York and to amend the acts heretofore passed for that purpose,' passed March 7, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Said bill having been amended by unanimous consent, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Noyes	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act to provide for the construction of a bridge across the Tonawanda creek at Tonawanda, and to authorise a loan to the counties of Erie and Niagara for that purpose," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of John J. Ross," and after some time spent thereon, Mr. Crook, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg," and after some time spent thereon, Mr. Stanton, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend an act incorporating the village of Plattsburgh and the acts amendatory thereof."

"An act in relation to woodlands in the towns of Huntington, Islip and Smithtown, in the county of Suffolk."

"An act to amend an act to provide for the incorporation and regulation of telegraph companies."

"An act to amend 'An act incorporating the village of Plattsburgh,' passed April 26, 1831, and the acts amendatory thereof, passed April 12, 1848."

"An act authorising a loan to the town of Alfred and to authorise the town of Alfred to reloan the same money to the trustees of Alfred academy."

"An act to provide for the sale of certain arsenals and other property and to provide for the safe keeping of certain arms and other property of the State."

*Ordered*, That said bills do have their third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Ethelinda Deall," and after some time spent thereon, Mr. Cook, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Bigham, Stewart & Co.," and after some time spent thereon, Mr. Brandreth, from said committee, reported in favor of the passage of the same with the title amended so as to read, "An act for the relief of Bigham, Stewart & Co., and final settlement of their accounts as contractors on section No. 14 of the Erie canal enlargement."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to settle the account of Christopher Adams, late superintendent of repairs on the Erie and Champlain canals, for moneys deposited by him in the Canal Bank of Albany," and after some time spent thereon, Mr. Curtis, from said committee, reported in favor of the passage of the same

with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Jacob C. Anthony and Robert Fero," and after some time spent thereon, Mr. Robinson, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the payment of canal damages to Elias Stilwell," and after some time spent thereon, Mr. Snyder, from said committee, reported in favor of the passage of the same with amendments, and the title altered so as to read, "An act to provide for the appraisal and payment of canal damages to Elias Stilwell."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd," and after some time spent thereon, Mr. Beekman, from said committee, reported in favor of the passage of the same with amendments, and the title altered so as to read, "An act to provide for the settlement and payment of the claim of Oscar Granger and Walter S. Todd."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered,* That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Henry P. Voorhees," and after some time spent thereon, Mr. Stone, from said committee, reported in favor of the passage of said bill with amendments, and the title amended so as to read, "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered,* That said bill do have its third reading.

Mr. Fox moved that the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to William H. Bennett," be recommitted to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Zebulon Moore," and after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

4 O'CLOCK P. M.

The Senate again met.

On motion of Mr. Stanton, and by unanimous consent,  
The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Robinson	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Beekman, from the select committee to which was referred the bill from the Assembly entitled, "An act in relation to the assessment and collection of taxes in the city of New-York and to amend the several acts relating thereto," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Jacob C. Anthony and Robert Fero," and after some time spent thereon, Mr. Robinson, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the payment of canal damages to Elias Stilwell," and after some time spent thereon, Mr. Snyder, from said committee, reported in favor of the passage of the same with amendments, and the title altered so as to read, "An act to provide for the appraisal and payment of canal damages to Elias Stilwell."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd," and after some time spent thereon, Mr. Beekman, from said committee, reported in favor of the passage of the same with amendments, and the title altered so as to read, "An act to provide for the settlement and payment of the claim of Oscar Granger and Walter S. Todd."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to provide for the payment of canal damages to Henry P. Voorhees," and after some time spent thereon, Mr. Stone, from said committee, reported in favor of the passage of said bill with amendments, and the title amended so as to read, "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Fox moved that the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to William H. Bennett," be recommitted to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Zebulon Moore," and after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked and obtained leave to sit again.

The Senate then took a recess until 4 o'clock p. m.

4 O'CLOCK P. M.

The Senate again met.

On motion of Mr. Stanton, and by unanimous consent,  
The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Robinson	

17

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Beekman, from the select committee to which was referred the bill from the Assembly entitled, "An act in relation to the assessment and collection of taxes in the city of New-York and to amend the several acts relating thereto," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.



Mr. Cook, from the select committee of eight, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

"An act to amend the act passed April 24, 1837, entitled 'An act to incorporate the village of Black Rock and the several acts amending the same,' " to Messrs Babcock, Cross and Snyder.

"An act in relation to the western ten miles of the eastern branch of the Schoharie turnpike road," to Messrs. Tuttle, Cook and Crolius.

"An act for the relief of the missionary society of the Methodist Episcopal church," to Messrs. Robinson, Crook and Morgan.

"An act to amend the act passed April 7, 1849, entitled 'An act to amend the act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847," to Messrs. Morgan, Cross and Tuttle.

"An act further to amend the charter of the Troy savings bank," to Messrs. Cook, Carroll and Robinson.

"An act granting the Cayuga and Susquehanna railroad company the use of a pier in the Cayuga lake," to Messrs. Robinson, Crolius and Brown.

"An act authorising the commissioners of highways of the town of Brownville to borrow money," to Messrs. Skinner, Miller and Curtis.

"An act to regulate the free schools in the city of Auburn," to Messrs. Beekman, Beach and Snyder.

"An act to authorise the agent of the Auburn state prison to pay a judgment against the State in favor of H. H. Cooley and others," to Messrs. Beach, Stone and Owen.

"An act to amend the charter of the village of Rome," to Messrs. Mann, Cross and Williams.

"An act to amend the several acts relating to the village of Medina," to Messrs. Cross, Beekman and Noyes.

"An act to enforce the payment of taxes by the agents of certain insurance companies," to Messrs. Cook, Robinson and Morgan.

"An act to amend the act to provide for the incorporation of insurance companies," to Messrs. Cook, Mann and Robinson.

"An act to amend an act entitled, 'An act to incorporate the eastern dispensary of the city of New-York,' passed April 25, 1832," to Messrs. Beekman, Morgan and Noyes.

"An act to amend an act entitled, 'An act to incorporate the Pacific mail steamship company,' passed April 12, 1848," to Messrs. Williams, Owen and Skinner.

"An act to authorise Charles G. Taylor and Henry A. Taylor to establish and continue a ferry across the Hudson river from Sing Sing to the opposite shore in the county of Rockland," to Messrs. Brandreth, Crolius and Miller.

"An act to incorporate the New-York medical college," to Messrs. Robinson, Brandreth and Beekman.

"An act to incorporate the Monroe county savings bank," to Messrs. Cook, Miller and Morgan.

"An act to secure the public highway across the foot of Seneca lake in protecting the Cayuga and Seneca canal," to Messrs. Stanton, Guinnip and Dimmick.

"An act to authorise Henry Brother to maintain a dam across the Conhocton river," to Messrs. Guinnip, Robinson and Owen.

"An act authorising surrogates to invest surplus moneys arising from sale of real estate in certain cases," to Messrs. Babcock, Mann and Curtis.

"An act to compel the determination of claims to real property sold for taxes or assessment," to Messrs. Cross, Morgan and Mann.

"An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled, 'An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843, passed March 29, 1842," to Messrs. Babcock, Robinson and Dimmick.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the office of county judge of the county of Lewis," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the president, directors and company of the New Baltimore and Rensselaerville turnpike road to sell and convey their present turnpike road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Commissioners to take for the use of the State a bridge in the fourth ward of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the construction of a canal bridge near Shelby basin in the county of Orleans," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Poughkeepsie female collegiate insitute in the village of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brown,

Said bill was referred to the committee on the internal affairs of towns and counties to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the female academy of the sacred heart in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Henry Van Rensselaer, of Ogdensburgh, to erect a dam across a part of the St. Lawrence in the town of Lisbon county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the village of Lockport,' passed March 26, 1829, and the several acts amendatory thereof, passed May 13, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to incorporate the Albany city savings institution."

"An act amending the charter of the village of Seneca Falls."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1849."

*Ordered*, That said bill be returned to the Assembly.

Mr. Robinson, from the committee on canals, to which was referred the bill entitled, "An act prescribing the powers and duties of the State Engineer and Surveyor and of the engineers employed on the public works," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee on commerce and navigation be discharged from the further consideration of the bill entitled, "An act establishing a ferry across the Hudson river from Howard's wharf or dock at Breakneck in the town of Phillips in the county of Putnam, to the west shore of the Hudson river aforesaid in the town of Cornwell in the county of Orange," also the bill entitled, "An act to authorise Edward Hubbard of the town of Cornwell and Christopher B. Miller and Thomas J. De Lancy of the town of New Windsor, to establish and continue a ferry across the Hudson

river from the town of Cornwell in the county of Orange, to Cold Spring in the county of Putnam," and that they be referred to the committee on the internal affairs of towns and counties.

Mr. Skinner, from the select committee to which was referred the bill entitled, "An act to confirm the official acts of Silas A. Webb as a justice of the peace in the county of Jefferson," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Zebulon Moore," and after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act to authorise the Canal Commissioners to settle with Hubbard Burdick for work done on the Erie canal," and after some time spent thereon, Mr. Mann, from said committee, reported in favor of the passage of said bill without amendment, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of Captain Titus Felix Gazynski, late of the first regiment of the New-York volunteers, for raising, boarding and drilling troops of said regiment previously to their being mustered into the service of the United States," and after some time spent thereon, Mr. Fox, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act for the relief of certain purchasers of lands in the Oneida reservation of 1840 and 1841 and subsequent thereto," and after some time spent thereon, Mr. Colt, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act authorising the board of supervisors of the county of Wayne to audit and allow the account of John C. Bannister," and after some time spent thereon, Mr. Miller, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Williams,

*Resolved*, That the bill entitled, "An act authorising the Comptroller to invest moneys belonging to the bank fund," be referred to the committee on finance to report complete.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An

act to incorporate the Odd Fellows' hall association of the city of Buffalo," reported in favor of the passage of the same without amendment.

On motion of Mr. Stanton,

Said bill was referred to the committee on charitable and religious societies to report complete.

Mr. Stanton, from the select committee to which was referred the bill from the Assembly entitled, "An act to incorporate the Thistle benevolent society of the city of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

In pursuance of previous notice,

Mr. Stone asked for and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to the assessment of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Robinson,

The Senate then adjourned until 10 o'clock to-morrow morning.

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## SATURDAY, MARCH 30, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Johnson presented three petitions of inhabitants of the city of Albany for the passage of the Albany water bill, which were laid on the table.

Mr. Johnson also presented a remonstrance of inhabitants of Albany against the Albany water bill, which was laid on the table.

Mr. Babcock presented the petition of the officers and privates of the 65th regiment of New-York militia for the passage of the bill amending the militia laws, which was referred to the committee of the whole.

Mr. Robinson presented the memorial of John B. Rich and others for the incorporation of Rich's institute for physical training in the city of New-York, which was referred to the committee on medical societies and colleges.

Mr. Babcock presented the petition of inhabitants of Lockport for an amendment of the law relative to the fees of sheriffs on execution, which was laid on the table.

Messrs. Miller, Cook and Brown presented three petitions of inhabitants of Monroe, Washington and Queens counties for repeal of the free school law, which was referred to the committee of the whole.

Mr. Brown presented two petitions of inhabitants of Queens and Suffolk counties for a law to prevent the sale of alcoholic liquors, which was sent to the Assembly under rule.

Mr. Curtis presented the petition of inhabitants of Orange county for a ferry over the Hudson river in the town of Phillips, in the county of Rockland, which was referred to the committee on the internal affairs of towns and counties.

Mr. Morgan from the committee on finance, to which was referred the bill entitled, "An act authorising the comptroller to invest monies belonging to the bank fund," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Farmers Mutual insurance company of Erie county,' passed May 14, 1845," reported in favor of the passage of the same.

Mr. Cook moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to extend the charter of the Chautauque county Mutual insurance company," reported in favor of the passage of the same.

Mr. Cook moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to incorporate the female academy of the Sacred Heart in the city of New-York," reported in favor of the passage of the same.

Mr. Beekman moved that said bill be referred to the select committee to report complete.

*Ordered,* That said resolution be referred to a select committee of eight.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of West Troy and for other purposes,' passed April 30, 1836," reported in favor of the passage of the same.

Mr. Johnson moved that said bill be referred to a select committee to report complete.

*Ordered,* That said resolution be referred to the select committee of eight.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to alter the commissioners' map of the city of Brooklyn and for other purposes,' passed May 12, 1846," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act establishing a ferry across the Hudson river from Howard's wharf or dock at Breakneck in the town of Phillips, in the county of Putnam, to the west shore of the Hudson river aforesaid in the town of Cornwell, in the county of Orange," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt from the committee on the internal affairs of towns and counties, to which was referred the bill from Assembly entitled, "An act to authorise Edward Hubbard, of the town of Cornwall, and Christopher B. Miller and Thomas J. DeLancey, of the town of New Windsor, to establish and continue a ferry across the Hudson river from the town of Cornwall, in the county of Orange, to Cold Spring, in the county of Putnam," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Robinson, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the construction of a canal bridge near Shelby basin in the county of Orleans," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Robinson from the committee on canals, to which was referred the bill from the Assembly entitled, "An act authorising the canal commissioners to take for the use of the State a bridge in the fourth ward of the city of Rochester," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the petition for that purpose, reported in writing a bill entitled, "An act to incorporate Rich's institute for physical training," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mann, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act for the better security of mechanics and other erecting buildings and furnishing materials therefor in the county of Richmond,' passed May 11, 1846," reported in favor of the passage of the same.

Mr. Mann moved that said bill be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Mann from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise the city of Buffalo to subscribe to the capital stock of the Buffalo water works company," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Skinner from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to William H. Bennett," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred a bill from the Assembly entitled, "An act to amend an act entitled, 'An act concerning passengers arriving at ports of entry and landing in this State,' passed December 10, 1847, and the act amendatory thereof, passed April 11, 1849," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Robinson from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to authorise the canal board to assume in behalf of the State the Dansville slip and basin,' passed April 4, 1848," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges to which was referred the petition for that purpose, reported a bill entitled, "An act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner, in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," reported in favor of the passage of the same in writing, which was committed to the committee of the whole.

*(See Doc. No. 100.)*

Mr. Miller, from the committee on roads and bridges, to which referred the bill from the Assembly entitled, "An act to authorise the Seneca plank road company to borrow money," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise the trustees of the village of Oneida Castle to convey real estate," reported in favor of the passage of the same.

Mr. Mann moved that said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

Mr. Stanton from the committee on charitable and religious socie-



ties, to which was referred the bill from the Assembly entitled, "An act to amend an act passed April 27, 1847, authorising the incorporation of rural cemetery associations," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act further to amend the act to incorporate the Greenwood cemetery passed April 18, 1838," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which referred the bill from the Assembly entitled, "An act to incorporate the Odd Fellows' hall in the city of Buffalo," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill entitled, "An act relative to Freeman's bridge company in the county of Schenectady," reported in favor of the passage of the same.

Mr. Miller moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the county of Richmond," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to incorporate the Hemlock lake turnpike company," reported in favor of the passage of the same.

Mr. Miller moved said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

Mr. Miller from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act for the relief of the president, directors and company of the fourth great western turnpike road," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Crolius, from the select committee, to which was referred the bill entitled, "An act to amend the charter of the city of Auburn," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crolius from the majority of the select committee, to which was referred the bill from the Assembly entitled, "An act to divide the twelfth ward of the city of New-York into two wards," reported

in favor of the passage of the same which was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to confirm the official acts of Silas A. Webb, a justice of the peace in the county of Jefferson."

"An act to confirm the action of the board of trustees of the village of Seneca Falls in purchasing a cemetery and in selling lots therein."

"An act to provide for the construction of a bridge across the Tonewanda creek at Tonewanda and to authorise a loan to Erie and Niagara counties."

"An act to pay Thomas Marvin for the loss of a horse while acting in obedience to the direction of the sheriff of Delaware county."

*Ordered*, That said bills do have their third reading.

Mr. Skinner from the select committee, to which was referred the bill entitled, "An act to authorise the commissioners of highways of the town of Brownville to borrow money," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cross from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the firemen of the village of Williamsburgh," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross from the select committee, to which was referred the bill entitled, "An act to compel the determination of claims to real property sold for taxes or assessments," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colt, from the select committee, to which was referred the bill from the Assembly entitled, "An act relative to the location of a gate on the Lockport and Warren's Corners plank road," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Brandreth, from the select committee to which was referred the bill from the Assembly entitled, "An act to regulate the salary of the district attorney of the county of Rockland," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Robinson from the select committee, to which was referred the bill entitled, "An act for the relief of the missionary society of the Methodist Episcopal church," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Robinson from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the New-York medical college," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill entitled, "An act to enforce the payment of taxes by the agents of certain insurance companies," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the select committee, to which was referred the bill entitled, "An act in relation to mutual insurance companies," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the select committee, to which was referred the bill from the Assembly entitled, "An act further to amend the charter of the Troy savings bank," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the Monroe county savings bank," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Carroll, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act incorporating the village of Little Falls by the name of Rockton," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Fox from the select committee, to which was referred the bill entitled, "An act to authorise the Little Falls and Salisbury plank road company to mortgage their road as a security for a loan," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act to facilitate the construction of the Buffalo and State line railroad," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act authorising surrogates to invest surplus moneys arising from sale of real estate in certain cases," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled, 'An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843, passed March 29, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend the act passed

April 24, 1837, entitled, 'An act to incorporate the village of Black Rock,' and the several acts amending the same," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox from the select committee, to which was referred the bill entitled, "An act to amend the charter of the village of Herkimer," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman, from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the New-York juvenile asylum," reported in favor of the passage of the same with amendments.

On motion of Mr. Beekman,

Said bill was referred to the committee on the judiciary to report complete.

Mr. Beekman, from the select committee, to which was referred the bill entitled, "An act to regulate the opening, widening and improvement of streets and avenues in the city of New-York," reported in favor of the passage of the same without amendment.

On motion of Mr. Beekman,

Said bill was referred to the committee on the judiciary to report complete.

Mr. Beekman, from the select committee, to which was referred the bill from the Assembly entitled, "An act to authorise Benjamin Hook, of the city of New-York, rigger, to change his name," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Williams, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Pacific mail steamship company,' passed April 12, 1848," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the eastern dispensary of the city of New-York,' passed April 25, 1832," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the majority of the select committee to which was referred the bill from the Assembly entitled, "An act to regulate the salary of policemen in the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the select committee to which was referred the bill entitled, "An act to regulate free schools in the city of Auburn," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn."

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Cross	Mr. Morgan	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Dimmick	Mr. Owen	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 27, 1850.* }

*To the Senate :*

I have this day approved and signed the bill entitled, "An act to amend the charter of the Manhattanville free school in the city of New-York."

HAMILTON FISH.

A message was received from the Governor in the words following :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, March 29, 1850.* }

*To the Senate :*

I have this day approved and signed the following bills :

"An act to extend the lines of certain lots in the city of Buffalo and the village of Black rock."

"An act amending the charter of the village of Seneca Falls."

"An act to incorporate the Albany savings institution."

HAMILTON FISH.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town

of Westchester in the county of Westchester, assessed upon John DeWolf and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Albany bank for savings," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the court of sessions in and for the county of Washington," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to revive and amend an act entitled, 'An act to incorporate the Palmyra savings bank,' passed April 12, 1842," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Canal Commissioners to build a road bridge over the Oswego canal in the village of Phoenix," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Commissioners to abate a nuisance in the village of Spencerport in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of insurance companies,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to establish free schools in the village of Cohoes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend and consolidate the several acts relating to the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Aaron Barnes and John E. Hinman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled,

"An act to provide for proving certain field notes and other papers therein mentioned," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to prevent the printing and circulation of shop bills of the similitude of bank bills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence entitled, "An act to authorise a loan to the county of Putnam and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act authorising the building of bridges over the Erie and Oswego canals in the city of Syracuse," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to amend the act entitled, 'An act to authorise the business of banking,' passed May 14, 1840,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The President laid before the Senate a communication from the Canal Board on the bill entitled, "An act for the appraisal and payment of canal damages to Elizabeth Granger, Warren Granger and James N. Granger," which was committed to the committee of the whole.

(See Doc. No. 101.)

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act in relation to the State lunatic asylum," and after some time spent thereon, Mr. Noyes, from said committee, reported in favor of the passage of the same with amendments.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative.

Mr. Mann moved that said bill be referred to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Mann, Miller and Cook, be said committee.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to amend the militia laws," and after some time spent thereon, Mr. Cross, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The President laid before the Senate the following communication :

HUDSON RIVER RAILROAD COMPANY, }  
New-York, March 19, 1850. }

At a meeting of the board the following proceedings were had,  
viz :

*Whereas*, The Hudson river railroad company has been undertaken as one of the great public works of the State, for the general benefit rather than with a view to the promotion of any sectional interest, it is therefore

*Resolved*, By the board of directors, that the thanks of the company be tendered to the honorable the Legislature for the promptitude and readiness with which they have granted the amendments asked for at the present session, and that the members of the honorable the Senate and the House of Assembly be, and they are hereby requested to examine and pass over such part of the road as is at this time in operation, the better to judge of the public utility of the road, and the importance of its early completion.

*Resolved*, That the secretary of the company, now at Albany, be directed to deliver a copy of these resolutions and preamble to the President of the Senate and Speaker of the House of Assembly, and that he be authorised to make the necessary arrangements for passing to and from the city of Albany over the road during the session or after the adjournment.

By order of the board,

J. BOORMAN,

*President.*

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to increase the capital stock of the Aurora and Buffalo plank road."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Colt,

*Resolved*, That Assembly bill entitled, "An act to amend the Revised Statutes where encroachments are claimed to have been made on highways," be referred to the judiciary committee to report complete.

On motion of Mr. Cook,

*Resolved*, That the act for the relief of Captain Titus Felix Gazynski, be recommitted to the standing committee on the militia for the purpose of amending the same and report complete.

On motion of Mr. Johnson,

*Resolved*, That the Albany water bill be recommitted to the select committee to whom it was referred to report complete, and that said committee be increased to seven in number.

Mr. Guinnip, from the committee on militia and public defence, to which was referred the bill entitled, "An act for the relief of Captain Titus Felix Gazynski, late of the first regiment of the New-York volunteers, for raising, boarding and drilling troops of



said regiment previously to their being mustered into the service of the United States," reported the same complete with amendments, and the title altered so as to read, "An act for the relief of Captain Titus Felix Gazynski, late of the first regiment of New-York volunteers."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

The bill entitled, "An act authorising a loan to the town of Alfred and authorising the town of Alfred to reloan the same money to the trustees of Alfred academy," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to grant the use of a pier in the Cayuga lake to the Cayuga and Susquehanna railroad company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Owen	Mr. Williams
Mr. Dimmick		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Colt moved that the Senate return to the order of business of special orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act in relation to the collection of unpaid taxes on lands of non-residents and to provide for the sale of lands for taxes in the counties where they were assessed," and after some time spent thereon, Mr. Williams, from said committee, reported progress on said bill, and asked leave to sit again.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

Mr. Colt moved that said bill be made the special order for Monday next at 4 o'clock p. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crolius offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act for the better protection of persons engaged in buildings where steam engines are used," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

On motion of Mr. Fox,

*Resolved*, That the bill reincorporating the village of Little Falls by the name of Rockton, be referred to the committee on cities and villages to report complete.

Mr. Skinner offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill from the Assembly entitled, "An act to incorporate the fire department of the village of Watertown," be referred to a select committee to report complete.

*Ordered*, That said resolution be referred to the select committee of eight.

Mr. Stanton offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That on and after Monday next the Senate will meet at 9 a. m.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

On motion of Mr. Morgan,

*Resolved*, That the bill from the Assembly entitled, "An act to divide the 12th ward in the city of New-York," be taken from the general orders and referred to the Senators from the 3d, 4th, 5th and 6th districts to report complete.

On motion of Mr. Morgan,

*Resolved*, That the bill entitled, "An act to incorporate the New-York and Virginia steamship company," be taken from the general orders and referred to the committee on commerce and navigation to report complete.

On motion of Mr. Cook,

*Resolved*, That the bill for the collection of taxes on personal and real estate, be referred to the standing committee on internal affairs of towns and counties to report complete.

On motion of Mr. Babcock,

*Resolved*, That on Wednesday next immediately after the reading of the journal, the Senate will proceed to the third reading of bills, and continue that order of business until the recess, or until all bills ready for a third reading are disposed of.

On motion of Mr. Owen,

*Resolved*, That the bill entitled, "An act to authorise the Seneca nation of Indians to determine their form of government," be made the special order of the day for Tuesday next at 4 o'clock p. m.

The bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the county of Richmond," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Noyes	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York."

Said amendments having been read,

The President put the question whether the Senate would concur in the said amendments of the Assembly, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Noyes	

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The Senate then adjourned until 10 o'clock on Monday morning.

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MONDAY, APRIL 1, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Way.

The journal of Saturday was read and approved.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill entitled, "An act to improve the navigation of the Seneca river at Baldwinsville, in the county of Onondaga," and after some time spent thereon, Mr. Morgan, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Babcock moved said bill be made the special order for Wednesday next at 4 o'clock, p. m. and that at that time it take precedence over all other business.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President laid before the Senate a communication from the Canal Board in relation to the bill entitled, "An act to supply the Black river canal and the Black river with water, by damming the lakes at the head of Black, Moose, and Beaver rivers," which was committed to the committee of the whole.

(*See Doc. No. 102.*)

Mr. Geddes presented six petitions of inhabitants of Onondaga county for a law to consolidate the Syracuse and Rochester railroads, which was referred to the committee on railroads.

Mr. Robinson presented the resolutions of the board of supervisors of Wyoming county relative to the fees of county clerk, which was referred to the committee on the internal affairs of towns and counties.

Mr. Johnson presented the petition of inhabitants of the city of Albany in favor of the bill to supply said city with pure water, which was referred to the select committee.

Mr. Dart presented three petitions of inhabitants of St. Lawrence

county for the repeal of the free school law, which was referred to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to regulate the opening, widening, and improvement of streets and avenues in the city of New-York," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to legalize the acts of William McCracken in the conveyance of real estate," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in settlement of the claims of the first christian party of Oneida Indians,' passed April 9, 1849," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising Electa Bradley and her children to change their names," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to the office of county judge of the county of Lewis," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to create the office of city judge of the city and county of New-York," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for proving certain field notes and other papers therein mentioned," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to incorporate the New-York juvenile asylum," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend the eighth title, of chapter eight, of part third, of the Revised Statutes entitled, 'of proceedings for the collection of demands against ships and vessels,'" reported in favor of the passage of the same with-

out amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to prohibit corporations from interposing the defence of usury in any action," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Robinson from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the canal commissioners to abate a nuisance in the village of Spencerport, in the county of Monroe," reported in favor of the passage of the same.

Mr. Miller moved that said bill be referred to the committee on canals to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Robinson, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the building of bridges over the Erie and Oswego canals in the city of Syracuse," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the town of Westchester in the county of Westchester assessed upon John D. Wolfe and others," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Colt from the committee on the internal affairs of towns and counties, to which was referred the bill from Assembly entitled, "An act to authorise Henry Van Rensselaer of Ogdensburgh to erect a dam across a part of the St. Lawrence in the town of Lisbon, county of St. Lawrence," reported in favor of the passage of the same.

On motion of Mr. Dart, and by unanimous consent,  
*Ordered*, That said bill do have its third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend the Revised Statutes in relation to the assessment of taxes," reported in favor of the passage of the same.

Mr. Stone moved that said bill be referred to the committee on the internal affairs of towns and counties to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to consolidate and amend the several acts relating to the city of Rochester," reported in favor of the passage of the same.

On motion of Mr. Miller,  
*Ordered*, That said bill be referred to the committee on the incorporation of cities and villages to report complete.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled,

"An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the village of Lockport,' passed March 26, 1829, and the several acts amendatory thereof,' passed May 13, 1846," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Miller, from the committee on literature, to which was referred the petition for that purpose, reported the bill entitled, "An act to consolidate school districts numbers one and eight in the town of Herkimer, and to authorise them to borrow money," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Miller from the committee on roads and bridges to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the Fort Plain and Cooperstown plank road company to borrow money and increase the number of directors," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to authorise the president, directors and company of the New Baltimore and Rensselaerville turnpike road to sell and convey their present turnpike road," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Mann from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the town of Flushing, in the county of Queens, to raise money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands," which was read the first time, and by unanimous consent was also read the second time.

Mr. Brown moved that said bill be referred to a select committee to report complete.

*Ordered.* That said resolution be referred to the select committee of eight.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act in relation to free schools in the city of Troy," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Stanton, from the select committee to which was referred the bill entitled, "An act to secure the public highway across the foot of Seneca lake, in protecting the Cayuga and Seneca canal," reported the same complete with amendments, and the title amended to read "An act authorising and requiring the canal commissioners to repair the public highway across the foot of Seneca lake and to protect the banks of the Cayuga and Seneca canal against injury from the waters of said lake."

Mr. Guinnip moved to amend the report of the committee by adding the following as an additional section :

"The commissioners are hereby required to remove by the first day of September next, the dam and other obstructions placed in the outlet at the foot of said Seneca lake."

Mr. Cook moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mann from the select committee, to which was referred the bill entitled, "An act in relation to the State lunatic asylum," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Mann, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend the charter of the village of Rome," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Mann from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to revise the incorporation of the village of Whitesborough, and to vest further powers in the trustees of said village,' passed February 23, 1821," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Mann from the select committee, to which was referred the bill entitled, "An act for the relief of William W. Niles," reported the same complete with amendments, and the title amended to read "An act for the determination of the claim of William W. Niles."

Mr. Cross moved to amend the report of the committee in the fourth section of said bill, so as to provide that in case either of the commissioners refuse to serve, the Governor shall appoint to fill the vacancies.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Cross moved to amend the report of the committee in the third section by adding the words "and shall give security to the said commissioners that he will pay the amount so incurred."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Curtis moved to amend the report of the committee in the first section by striking out the words "three thousand dollars" and inserting "five thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Cross from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend the several acts relating to the village of Medina," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Robinson, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the Canal Commissioners to abate a nuisance in the village of Spencerport, in the county of Monroe," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.



Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act to prevent the printing and circulation of shop bills in the similitude of bank bills," reported in favor of the passage of the same with amendments, and the title amended by striking out the word "similitude" and inserting the word "similitude," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Guinnip, from the select committee to which was referred the bill from the Assembly entitled, "An act to authorise Henry Broth-er to maintain a dam across the Conhocton river," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 1, 1850. }*

*To the Senate:*

A bill which originated in the Senate, entitled "An act to extend the charter of the Schoharie central bridge company," has been presented to me for the official approval, which I am constrained to withhold.

Section one of article eight of the constitution declares that "corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws."

The Schoharie central bridge company was incorporated by an act of the Legislature passed April 16, 1822, (Laws 45th session, chap. 219,) for a term of thirty years. The charter will consequently expire in April, 1852.

The bill now presented to me, proposes to extend the charter of this corporation for thirty years from its passage. Its effect therefore is to give to an existing corporation a new existence beyond the term limited by its charter. Beyond that period it will therefore practically and substantially have the effect of a new act of incorporation. It will give existence to a corporation which without this special act would have no existence after the expiration of the thirty years limited in the original charter. In other words, the bill in effect creates a corporation from a certain future day.

The power of the Legislature to create corporations by special acts, is confined to corporations for municipal purposes, and to cases where, in the judgment of the Legislature, the objects cannot be attained under general laws.

The object of the corporation whose charter it is now proposed to extend, is to build and maintain a bridge.

On the 11th of April, 1848, the Legislature passed a general law entitled, "An act to provide for the incorporation of bridge compa-

nies," (Laws 71st session, chap. 259,) authorising the formation of corporations for the purpose of constructing and owning bridges across any streams of water. The 21st section of this act provides that any existing corporation, having for its object the construction and maintenance of any bridge whose charter shall expire, may be continued as a corporation by complying with the provisions of the act, so far as the same are applicable, on obtaining the consent of the supervisors of the county in which the bridge is situated.

In the absence of any general law authorising the formation of corporations for any particular object, the enactment of a special act incorporating a company for such object, may perhaps in some cases be assumed as an indication of the opinion of the Legislature that in its judgment those objects cannot be attained under general laws. But the enactment of the general law above referred to, establishes that the objects of corporations of the character of that whose charter the bill before me proposes to extend, are such as can, in the judgment of the Legislature, be attained under general laws. Hence it follows clearly that the Legislature has not the power to create by a special act a corporation for those objects.

The question then presents itself, whether an act extending the duration of an existing corporation in violation of the spirit of the constitution, which prohibits the Legislature from creating by special act a corporation with similar objects to that which it is proposed to extend. Had the charter expired, there would be no doubt of the want of power in the Legislature to create by special act a corporation for the objects contemplated by the act which it is proposed by this bill to extend. And I cannot persuade myself that the fact that the charter of the company in question has not yet expired, can give the Legislature a power which it clearly would not possess had the charter expired before the attempt to exercise such power.

The Legislature of 1850 has no power under the constitution with respect to granting acts of incorporation, which may not equally be exercised by the Legislature of 1853.

The charter of the Schoharie bridge company will have expired by its own limitation in the year 1852. After that date and so long as a general law applicable to the formation of similar corporations shall remain in force, there can be no pretence of a power in the Legislature to pass a special act giving an existence for twenty-eight years to the company for whose benefit this bill is designed. In my opinion the Legislature cannot merely by anticipation exercise a prohibited power.

I do not doubt that the Legislature may constitutionally alter or amend, by a special law, an existing charter granted prior to the adoption of the present constitution, and in a case in which a corporation could not now be created, except under a general law, so as to enable the corporation the better to accomplish the objects of its creation, and with this view may modify its corporate powers. But such alteration or modification must be within the limits of the existence of the charter, and must not extend to the reviving or

continuing of the charter beyond its limitation, the effect of which would be to create a new corporation.

Believing therefore that the bill referred to is in effect in contravention of the provisions of the constitution limiting the power of the Legislature to create corporations by special act, I am compelled to withhold from it my approval, and I respectfully return the bill for the further consideration of the Legislature.

HAMILTON FISH.

The question being, whether the Senate would pass the bill notwithstanding the objections of the Governor,

Debate was had thereon, when

Mr. Miller moved that said bill be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had concurred in the resolutions of the Senate on the subject of postage.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act authorising the appraisal and payment of canal damages to Jerome B. Ransom."

Said amendments having been read,

Mr. Mann moved that said bill and amendments be referred to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to reorganise and regulate the common schools and the board of education in the city of Brooklyn."

Said amendments having been read,

Mr. Cross moved to amend the amendments of the Assembly by inserting after the word "children," in the seventh line of the amendments of the Assembly, the words "actually orphans or half orphans."

The President put the question whether the Senate would agree to said amendment of Mr. Cross, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the amendments of the Assembly as amended, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Colt

Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Guinnip

Mr. Noyes  
Mr. Owen  
Mr. Robinson  
Mr. Skinner  
Mr. Stanton

Mr. Cook	Mr. Johnson	Mr. Stone	
Mr. Crolius	Mr. Miller	Mr. Tuttle	
Mr. Crook	Mr. Morgan	Mr. Williams	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill with an additional amendment.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to amend an act to incorporate the Gilboa aqueduct company, passed April 11, 1849."

"An act to enable Mary Robertson, Amelia Robertson and Mary Elizabeth Tunstall, to take, hold and dispose of real estate."

"An act to incorporate the Barryville and Shehola Delaware bridge company."

"An act to amend an act to establish a turnpike corporation for improving and making a road from Newburgh or Hudson river to Cochection on the Delaware river."

"An act to provide for the appraisal and payment of canal damages to Augustus Morgan."

"An act in relation to the recorder's court of the city of Buffalo."

"An act to release the interest of the State in certain real estate of which Mary Brice died seised to the county of Cattaraugus."

"An act to amend the charter of the village of Carthage."

"An act concerning resignations in office."

"An act to authorise the board of supervisors of Clinton county to investigate and adjust the claims of George Divoll and John Nichols and George W. Webster, his sureties."

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

"An act making an appropriation to the normal school building."

"An act to amend an act passed May 14, 1845, entitled 'An act to punish and prevent frauds in the use of false stamps and labels.'"

"An act to incorporate the Hudson city savings institution."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled, "An act in relation to the society for the reformation of juvenile delinquents in the city of New-York."

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the title of Henry Rankin to real estate conveyed to him by Edward M. Garner," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Joseph B. Arnold," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to pay Lewis W. Beecher for attending as a witness in behalf of the State on the trial of Alexander McLeod," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act authorising the investigation and settlement of the claim of Norman Northrop to canal damages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Lewis Benedict," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Clark Crandall," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the legal representatives of Mrs. Maria Miller," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the settlement of the claim of Davidson Moshier," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of William Sternbergh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to unite and consolidate school districts Nos. 10, 3 and 8, in the village of Watertown and county of Jefferson, and to raise money to purchase sites and build school houses," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Skinner,

Said bill was referred to the committee on literature to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act to incorporate the Herkimer county mutual insurance company, passed April 28, 1836," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to amend and consolidate

the several acts relating to the city of Utica,' passed March 31, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Comptroller to release certain lands in the town of Ghent to Edward L. Colburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him in consequence of retaining certain school moneys while acting as school commissioner for the town of New Berlin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of William Sherman and Uriel Sherman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the preservation of game in the counties of Suffolk, Queens, Kings, Richmond, New-York, Westchester, Rockland, Putnam, Dutchess, Orange, Ulster, Columbia, Greene, Albany, Rensselaer, Schenectady, Saratoga and Washington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Fanny Battjer, widow of John Henry Battjer late of the town of New Utrecht in the county of Kings, deceased," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Platt Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to pay William H. C. Hosmer for attending as a witness in behalf of the State on the trial of Alexander McLeod," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled,

"An act to provide for the erection of a city hall in the city of Utica," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The President laid before the Senate the following communication:

SECRETARY'S OFFICE, }  
Albany, March 30, 1850: }

The officers and members of the Senate are respectfully invited to attend the examination of the Normal School on Monday, Tuesday and Wednesday next. The exercises commence at 9 1-2 a. m. and 3 1-2 p. m.

CHRISTOPHER MORGAN,  
*Ch'n of Executive Committee.*

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

By unanimous consent,  
The bill from the Assembly entitled, "An act to authorise the city of Buffalo to subscribe to the capital stock of the Buffalo water works company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Miller
Mr. Beekman	Mr. Dimmick	Mr. Morgan
Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Geddes	Mr. Skinner
Mr. Crolius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Johnson introduced a bill entitled, "An act to amend the act to provide for the assessment and collection of taxes in the city of Albany, passed March 23, 1850," which was read the first time, and by unanimous consent was read a second time.

On motion of Mr. Johnson, and by unanimous consent.

*Ordered*, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for taxes in the counties where they were assessed," and after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same without amendment.

Mr. Colt moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

On motion of Mr. Cross,

The Senate proceeded to the consideration of the report of the committee on the judiciary on the bill entitled, "An act granting to Henry C. Murphey lands under water in front of his lands in the town of New Utrecht."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That the said bill be engrossed for a third reading.

By unanimous consent,

Mr. Miller introduced a bill entitled, "An act to repeal part of an act entitled, 'An act in relation to the Oswego canal,' passed April 5, 1849," which was read the first time, and by unanimous consent was also read a second time.

Mr. Miller moved that said bill be referred to a select committee to report complete.

*Ordered*, That said motion be referred to the select committee of eight.

The Senate then resolved itself into a committee of the whole on the following bills:

"An act further to amend an act establishing free schools throughout the State."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State."

"An act establishing free schools in the town of West Farms in the county of Westchester."

And after some time spent thereon, Mr. Johnson, from said committee, reported progress on said first and third mentioned bills, and asked and obtained leave to sit again.

Mr. Johnson, from the same committee, reported in favor of the passage of said second mentioned bill with amendments.

Mr. Stanton moved that report of the committee on said second mentioned bill be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Dart moved to amend said report by striking out from the



second section of said bill the words "except the city of New-York."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Skinner
Mr. Crook	Mr. Mann	Mr. Stanton
Mr. Cross	Mr. Miller	Mr. Stone
Mr. Dart	Mr. Owen	Mr. Tuttle
Mr. Dimmick		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Curtis	Mr. Williams
Mr. Brown		

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The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Mr. Cook moved that said bill be referred to a select committee to report complete.

*Ordered,* That said motion be referred to the select committee of eight.

By unanimous consent,

The bill entitled, "An act to amend an act to provide for the assessment and collection of taxes in the city of Albany, passed March 23, 1850," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crook	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Mann	Mr. Williams

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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Robinson,

The Senate then adjourned until 10 o'clock to-morrow morning.

## TUESDAY, APRIL 2, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Taggart.

The journal of yesterday was read and approved.

Mr. Crolius presented the remonstrance of the association of trustees and inspectors of common schools for the city and county of New-York against the law creating a free academy for girls in said city, which was referred to the committee of the whole.

Mr. Skinner presented the remonstrance of citizens of Watertown, Jefferson county, against the passage of a law uniting school districts in said village, which was referred to the committee on literature.

Mr. Beach presented the remonstrance of Geo. Underwood against the consolidation of the Auburn and Rochester and Auburn and Syracuse railroads, which was referred to the committee on railroads.

Mr. Beach presented the petition of inhabitants of Cayuga county for the repeal of the free school law, which was referred to the select committee.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to extend the time for the county treasurers to take the oath of office and file their official bond," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act for the preservation of game in the counties of Suffolk, Queens, Kings, Richmond, New-York, Westchester, Rockland, Putnam, Dutchess, Orange, Ulster, Columbia, Greene, Albany, Rensselaer, Schenectady, Saratoga and Washington," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to improve the quality of the salt manufactured in the county of Onondaga and to protect the purchasers of the same, and to furnish brine for the use of the city of Syracuse," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend the law for the assessment and collection of taxes," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crook from the committee on claims, to which was referred the bill entitled, "An act authorising the appraisal and payment of canal damages to Jerome B. Ransom," reported in favor of concurring in the amendments of the Assembly with additional amendments.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill with additional amendments.

Mr. Geddes from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act to unite the two railroad companies between Syracuse and Rochester into one company, and to provide for the construction of a more direct and level railroad between said cities," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to provide for the erection of a city hall in the city of Utica," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act to combine into one the several acts relating to the city of Albany, passed April 12, 1842," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act granting lands under water in the village of Cold Spring, Putnam county to Henry Holden," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Crook, from the committee on claims, to which was referred a bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages to George W. Manchester," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Owen, from the committee on Indian affairs, to which was referred the remonstrance of the chiefs of Seneca nation of Indians against the bill to submit to the people of the Seneca nation their form of government, reported in writing, which was committed to the committee of the whole.

(See Doc. No. 108.)

Mr. Beach, from the committee on public printing, to which was referred the resolution in favor of printing extra numbers of the report of the majority of the judiciary committee on "An act to settle the controversies existing between the State and certain occupants and claimants of lands, and to confirm the titles to said lands," recommends the passage of the following resolution :

*Resolved*, That 10 times the usual number of said report be printed.

Mr. Stanton moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to provide for the settlement and payment of the claim of Oscar Granger and Walter S. Tood."

"An act authorising the comptroller to invest monies belonging to the Bank Fund."

"An act to amend the charter of the city of Auburn."

"An act to compel the determination of claims to real property sold for taxes on assessments."

"An act to regulate the opening, widening, and improvement of streets and avenues in the city of New-York."

"An act relative to the State lunatic asylum."

"An act in relation to mutual insurance companies."

"An act to enforce the payment of taxes by the agents of certain insurance companies."

"An act to provide for the promotion of the public health by draining certain swamp lands on the Indian river in the towns of Theresa and Rossie."

"An act to amend the militia laws."

Mr. Carroll, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act reincorporating the village of Little Falls by the name of Rockton," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Brandreth, from the select committee to which was referred the bill from the Assembly entitled, "An act to authorise Charles

G. Taylor and Henry A. Taylor to establish and continue a ferry across the Hudson river from Sing Sing to the opposite shore in the county of Rockland," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Geddes, from the select committee of eight, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

"An act for the better protection of persons engaged in buildings where steam engines are used," to Messrs. Crolius, Tuttle and Robinson.

"An act to incorporate the fire department of the village of Waretown," to Messrs. Skinner, Carroll and Beach.

"An act to authorise the town of Flushing in the county of Queens to raise money by tax for the purchase of a farm for the support of the poor, and sell part of their town lands," to Messrs. Brown, Dart and Crolius.

"An act entitled, 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed April 30, 1836," to Messrs. Johnson, Schoonmaker and Brandreth.

"An act to amend an act entitled, 'An act to incorporate the Farmers' Mutual insurance company of Erie county,' passed May 14, 1845," to Messrs. Cook, Curtis and Babcock.

"An act to amend the act entitled, 'An act for the better security of Mechanics erecting buildings and furnishing materials therefor in the county of Richmond, passed May 11, 1846," to Messrs. Mann, Crook and Curtis.

"An act to authorise the trustees of the village of Oneida Castle to convey real estate," to Messrs. Mann, Miller and Upham.

"An act to amend an act entitled, 'An act making an appropriation for the support in part of certain incorporated orphan Asylums in this State, passed April 11, 1849," to Messrs. Cross, Brandreth and Robineon.

"An act to incorporate the female academy of the Sacred Heart in the city of New-York," to Messrs. Beekman, Crolius and Noyes.

"An act to authorise the cemetery of the Evergreens to hold real estate in the county of Queens," to Messrs. Brown, Crook and Owen.

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State," to Messrs. Cook, Mann and Cross.

"An act to amend the charter of the village of Ogdensburgh," to Messrs. Dart, Skinner and Crolius.

"An act establishing a ferry across the Hudson river from Howard's wharf in the town of Phillips, in the county of Putnam, to Cornwall, in the county of Orange," to Messrs. Brandreth, Noyes and Owen.

"An act to authorise Edward Hubbard of Cornwall and Christian B. Miller and Thomas De Lancey of New Windsor to establish and

continue a ferry across the Hudson river from Cornwall, in the county of Orange, to Cold Spring, in the county of Putnam," to Messrs. Curtis, Robinson and Crolius.

"An act to create the office of city judge of the city of New-York," to Messrs. Babcock, Mann and Morgan.

"An act to promote the commutation of rents," to Messrs. Schoonmaker, Beach and Geddes.

"An act authorising the building of bridges over the Erie and Oswego canals in the city of Syracuse," to Messrs. Geddes, Dimmick and Mann.

"An act for the relief of the president, directors and company of the fourth great western turnpike company," to Messrs. Miller, Mann and Williams.

"An act providing for the registry of births and deaths within this State," to Messrs. Robinson, Miller and Morgan.

"An act in relation to the collection of taxes on lands of non-residents; and to provide for the sale of lands returned for unpaid taxes in the counties where they are assessed," to Messrs. Colt, Mann and Schoonmaker.

"An act to amend the act for the incorporation of benevolent, charitable, scientific, and missionary societies," to Messrs. Beekman, Stanton and Miller.

"An act in relation to certain duties of commissioners of loans in the county of Fulton," to Messrs. Fox, Noyes and Babcock.

"An act further to amend an act entitled, 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," to Messrs. Cross, Morgan and Brown.

"An act to amend 'An act to alter the commissioners' map of the city of Brooklyn and for other purposes,' passed May 12, 1846," to Messrs. Cross, Tuttle and Beekman.

"An act to consolidate school districts numbers one and eight in the town of Herkimer and to authorise them to borrow money," to Messrs. Fox, Beekman and Skinner.

"An act to authorise the Fort Plain and Cooperstown plank road company to borrow money and increase the number of directors," to Messrs. Fox, Miller and Schoonmaker.

"An act to authorise the Seneca plank road company to borrow money," to Messrs. Mann, Stanton and Geddes.

"An act to amend an act entitled, 'An act to create the croton aqueduct department in the city of New-York,' passed April 11, 1849," to Messrs. Morgan, Crolius and Noyes.

Mr. Colt from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to amend the Revised Statutes in relation to the assessment of taxes," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Geddes from the select committee, to which was referred the bill from the Assembly entitled, "An act authorising the building of bridges over the Erie and Oswego canals in the city of Syracuse,"

reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill entitled, "An act authorising the agent of the Auburn state prison to pay a judgment against the State in favor of H. H. Cooley and others," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from the select committee to which was referred the bill from the Assembly entitled, "An act for the licensing and government of the pilots of the port of New-York, by the way of Sandy Hook," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Morgan, from the select committee to which was referred the bill entitled, "An act to amend the act passed April 7, 1849 entitled, 'An act to amend the act requiring compensation for causing death by wrongful act or default,' passed December 13, 1847," reported the same complete with amendments.

Mr. Stone moved to amend the report of the committee by striking out in the eleventh line of section one the words "three thousand dollars" and insert "\$5,000."

Mr. Cook moved said report be indefinitely postponed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Stanton,

The Senate proceeded to the consideration of the report of the select committee on the bill entitled, "An act authorising and requiring the Canal Commissioners to repair the public highway across the foot of the Seneca lake, and to protect the banks of the Cayuga and Seneca canal against injury from the waters of said lake."

The question being on agreeing to the amendments of Mr. Guinnip adding a new section,

Debate was had thereon, when

Mr. Guinnip withdrew his said amendment.

Debate was further had thereon, when

Mr. Guinnip again renewed his said amendment.

Pending the question thereon,

The Senate proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

A message was received from the Governor in the words following:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, April 29, 1850. }

*To the Senate :*

I have this day approved and signed the following bills :

"An act to amend an act to establish a turnpike corporation for improving and making a road from Newburgh on Hudson river to Cochection on the Delaware river."

"An act to amend an act to incorporate the Gilboa aqueduct company, passed April 11, 1849."

"An act making an appropriation to the normal school building."

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

"An act to authorise the board of supervisors of Clinton county to investigate and adjust the claims of George Divoll and John Nichols and George W. Webster, his sureties."

"An act to amend the charter of the village of Carthage."

"An act to release the interest of the State in certain real estate of which Mary Price died seised to the county of Cattaraugus."

"An act to provide for the appraisal and payment of canal damages to Augustus Morgan."

"An act in relation to the recorder's court of the city of Buffalo."

"An act to increase the capital stock of the Aurora and Buffalo plank road company."

"An act concerning resignations in office."

"An act to amend an act passed May 14, 1845, entitled 'An act to punish and prevent frauds in the use of false stamps and labels.'"

"An act to incorporate a seminary of education under the name of the Jonesville academy."

"An act to enable Mary Robertson, Amelia Robertson and Mary Elizabeth Tunstall, to take, hold and dispose of real estate."

HAMILTON FISH.

The Assembly returned the bill entitled, "An act authorising the appraisal and payment of canal damages to Jerome B. Ransom," with a message informing that they have concurred in the amendments of the Senate to the amendments of the Assembly to said bill.

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Robinson introduced a bill entitled, "An act to amend the act entitled, 'An act authorising the Comptroller to receive the returns of certain unpaid taxes in the county of Wyoming,' which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Robinson, and by unanimous consent,

*Ordered*, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Morgan introduced a bill entitled, "An act in relation to the appointment of referees in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



By unanimous consent,

Mr. Stone offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill to authorise the commissioners of the land office to hear and determine the claim of Henry Jordan, be the special order for Thursday next at 12 o'clock, m.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent,

Mr. Skinner offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act to supply the Black river canal and the Black river with water by damming the lakes at the head waters of Black, Moose and Beaver rivers," be ordered to a third reading.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President laid before the Senate a communication from the Canal Board in relation to supplying the Black river canal and Black river with water.

*Ordered*, That the said communication be laid upon the table.

(See Doc. No. 102.)

By unanimous consent,

Mr. Skinner offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the bill entitled, "An act to amend an act to vest in the boards of supervisors certain legislative powers and to prescribe their fees in certain cases," be referred to the standing committee on the judiciary to report complete.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to revive and amend the act entitled 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner, in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," and after some time spent thereon, Mr. Carroll, from said committee, reported progress, and asked for and obtained leave to sit again.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
Albany, April 2, 1850. }

*To the Legislature:*

I learn from the public journals that the Hon. John C. Calhoun died at Washington on the morning of Sunday last. His death is

an event of interest and a source of grief to all sections of the country, in whose service nearly the whole of his active life has been spent. I believe therefore that I consult the public sense of propriety not less than my own feelings, in giving you this official information of his decease.

Mr. Calhoun became connected with the federal government at an early age, and died in its service. He has been a member of the House of Representatives, Secretary of War, Secretary of State, Senator in Congress, and Vice President of the United States.

In each of these stations he has been distinguished by ability, integrity and independence. He has taken a very prominent part in every great question which has agitated the country during the last forty years, and has exerted a commanding influence upon the whole course of our public policy.

In his death the nation has lost a statesman of consummate ability and unsullied character.

It is fitting that this State should evince sorrow at his death, by such action as her representatives may deem appropriate.

HAMILTON FISH.

Mr. Morgan offered for the consideration of the Senate, the following resolutions, to wit:

*Resolved*, That a select committee of three be appointed on the part of the Senate, to meet with a committee on the part of the Assembly, to report resolutions expressive of the sense of the Legislature relative to the death of the Hon. John C. Calhoun, and that the Senate will meet at 4 o'clock this afternoon to hear the report of said committee.

*Resolved*, That the Clerk deliver a copy of this resolution to the Assembly, and request their concurrence therein.

The President put the question whether the Senate would agree to the said resolutions, and it was decided in the affirmative.

*Ordered*, That if the Assembly concur in the passage of these resolutions, Messrs. Morgan, Mann and Babcock, be said committee on the part of the Senate.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill from the Assembly entitled, "An act making an appropriation in part for the support of certain hospitals," and after some time spent thereon, Mr. Dimmick, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had concurred in the resolutions of the Senate in relation to the death of Hon. John C. Calhoun, and appointed Messrs. Ford, Monroe, Raymond, Goddard and Church, of said committee on the part of that House.

The Senate then took a recess until 4 o'clock p. m.

## 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act making an appropriation for the support in part of certain hospitals," and after some time spent thereon, Mr. Dimmick, from said committee, reported in favor of the passage of the same with amendments, and the title altered so as to read, "An act making an appropriation in part for the support of certain hospitals and poor houses."

Mr. Babcock moved to amend the second section of said bill so as to read as follows:

§ 2, Each of said hospitals shall, on the first day of October in the year one thousand eight hundred and fifty, make a report to the comptroller, verified by the oath of its president and superintendent, or its resident physicians and surgeons, of the number of patients admitted into said hospital during the five months preceding and thereafter annually for the year preceding such report, the diseases for which treated, and the duration of such treatment; and said sum shall be divided among said hospitals in proportion to the number of patients so treated and the time they were respectively under treatment during the periods aforesaid, and the comptroller shall draw his warrant on the treasurer for the amount to which each of said hospitals shall be entitled for its pro rata share of said sum of twenty-five thousand dollars.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Stanton	
Mr. Crolius	Mr. Dart	Mr. Williams	
Mr. Cross	Mr. Guinnip		8

## FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen	
Mr. Beekman	Mr. Fox	Mr. Robinson	
Mr. Brown	Mr. Geddes	Mr. Schoonmaker	
Mr. Carroll	Mr. Johnson	Mr. Skinner	
Mr. Colt	Mr. Miller	Mr. Stone	
Mr. Cook	Mr. Morgan	Mr. Tuttle	
Mr. Crook	Mr. Noyes		20

Mr. Cross moved to amend said report by altering the bill so as to read as follows:

AN ACT making an appropriation for the support in part of certain hospitals.

*The People of the State of New-York, represented in Senate and Assembly, do enact as follows:*

§ 1. The treasurer shall pay on the warrant of the comptroller to the incorporated hospitals in this state, other than in the city of New-York, the sum of fifteen thousand dollars, out of any money in the treasury not otherwise appropriated, in the proportion hereinafter provided.

§ 2. Each of said hospitals shall, on the first day of May in the year one thousand eight hundred and fifty-one, and in each succeeding year, make a report to the comptroller, verified by the oath of its president and superintendent or its resident physicians and surgeons, of the number of patients admitted into said hospital during the year preceding such report, the diseases for which treated, and the duration of such treatment; and said sum shall be divided among said hospitals in proportion to the number of patients so treated and the time they were respectively under treatment during the year aforesaid, and the comptroller shall draw his warrant on the treasurer for the amount to which each of said hospitals shall be entitled for its pro rata share of said sum of twenty-five thousand dollars.

§ 3. The said sum of twenty-five thousand dollars shall be divided among said hospitals on or before the first day of June in the year one thousand eight hundred and fifty-one, and in each year thereafter in which a like appropriation shall be made by the legislature

§ 4. No portion of the money hereby appropriated shall be expended for the purchase of grounds, erection of buildings or purchase of furniture.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller	
Mr. Beekman	Mr. Geddes	Mr. Morgan	
Mr. Carroll	Mr. Guinnip	Mr. Stanton	
Mr. Crolilus	Mr. Johnson	Mr. Williams	12

FOR THE NEGATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson	
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker	
Mr. Colt	Mr. Fox	Mr. Skinner	
Mr. Cook	Mr. Noyes	Mr. Stone	
Mr. Crook	Mr. Owen	Mr. Tuttle	15

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Owen	Mr. Tuttle
Mr. Curtis	Mr. Robinson	
		14

FOR THE NEGATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beekman	Mr. Cross	Mr. Morgan
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Williams
		12

Mr. Johnson moved to reconsider the vote on agreeing to said report.

Mr. Johnson moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to the motion to lay the motion to reconsider on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the negative.

*Ordered*, That said bill do have its third reading.

Mr. Morgan, from the joint select committee appointed to report resolutions in relation to the death of John C. Calhoun, reported the following:

*Resolved*, That the Legislature of the State of New-York have heard with deep regret the announcement, by a message from the Governor, of the death of John C. Calhoun, United States Senator from South Carolina; that they entertain sentiments of profound respect for the pre-eminent ability, the unsullied personal character and the high minded independence which, throughout his life, distinguished his devotion to the public service, and that they unite with their fellow citizens throughout the Union in deploring his death as a public bereavement.

*Resolved*, That the Governor of this State be requested to transmit a copy of these resolutions to the President of the Senate of the United States, with a request that the same be entered on their journals, and a copy to the Governor of the State of South Carolina, with a request that he transmit the same to the family of the deceased.

*Resolved*, That as a token of respect for the memory of the deceased, the public offices be closed, and the flag upon the capitol be

displayed at half-mast for twenty-four hours, and that the Senate do now adjourn.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

The Senate then adjourned until 10 o'clock to-morrow morning.

### WEDNESDAY, APRIL 3, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Way.

The journal of yesterday was read and approved.

On motion of Mr. Stanton and by unanimous consent,

*Resolved*, That the bill entitled, "An act authorising and requiring the Canal Commissioners to repair the public highway across the foot of Seneca lake and to protect the banks of the Cayuga and Seneca canal against injury from the waters of said lake," be ordered to a third reading.

The bill entitled, "An act authorising the Comptroller to invest certain moneys belonging to the Bank Fund," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Morgan	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Dart		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Noyes
Mr. Brown	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Crook	Mr. Johnson	Mr. Snyder
Mr. Cross	Mr. Mann	Mr. Upham
Mr. Dart	Mr. Morgan	

17

## FOR THE NEGATIVE.

Mr. Colt	Mr. Crolius	Mr. Robinson
Mr. Cook	Mr. Dimmick	

5

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend the law for the assessment and collection of taxes."

"An act to amend the act entitled, 'An act authorising the comptroller to receive the returns of certain unpaid taxes in the county of Wyoming.'"

"An act to authorise the town of Flushing, in the county of Queens to raise money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands."

"An act to amend the law for the assessment and collection of taxes."

"An act to authorise the agent of the Auburn state prison to pay a judgment against the State in favor of H. H. Cooley and others."

"An act to amend the charter of the village of Herkimer."

"An act to authorise commissioners of highways of the town of Boonville to borrow money."

"An act to confirm the official acts of Silas A. Webb a justice of the peace in the county of Jefferson."

"An act to amend the Revised Statutes relating to grants of land under water."

*Ordered,* That said bills do have their third reading.

The bill entitled, "An act in relation to woodlands in the towns of Huntington, Islip and Smithtown, in the county of Suffolk," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton

Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Dart	Mr. Owen	

26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the South Brooklyn savings institution," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Curtis	Mr. Robinson	

23

FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Noyes
Mr. Dart	Mr. Mann	

5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		

28

FOR THE NEGATIVE.

Mr. Guinnip	Mr. Owen	
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2



*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to enforce the payment of taxes by the agents of certain insurance companies," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for the settlement and payment of the claim of Oscar Granger and Walter S Todd," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Miller	Mr. Stanton
Mr. Carroll	Mr. Noyes	Mr. Stone
Mr. Cross	Mr. Owen	Mr. Tuttle
Mr. Curtis	Mr. Robinson	Mr. Upham
Mr. Fox	Mr. Skinner	Mr. Williams
Mr. Johnson	Mr. Snyder	

17

FOR THE NEGATIVE.

Mr. Beach	Mr. Colt	Mr. Dimmick
Mr. Beekman	Mr. Crolius	Mr. Schoonmaker

6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for the construction of a bridge across the Tonewanda creek at Tonewanda, and to authorise a loan to Erie and Niagara counties," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the Revised Statutes in relation to the assessment of taxes," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Dimmick		

10

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	

14

Mr. Miller moved to reconsider the vote on the final passage of said bill.

Mr. Miller moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

The bill entitled, "An act to amend the militia laws," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Miller	Mr. Upham

24

## FOR THE NEGATIVE.

Mr. Beach	Mr. Noyes	Mr. Schoonmaker
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3

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the State Lunatic Asylum," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Geddes	Mr. Robinson
Mr. Beekman	Mr. Guinnip	Mr. Schoonmaker
Mr. Brandreth	Mr. Johnson	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Snyder
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Stone
Mr. Cross	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Upham
Mr. Fox		

25

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act in relation to mutual insurance companies," coming up for a third reading,

Mr. Johnson moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled, "An act to amend the charter of the city of Auburn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the Little Falls and Salisbury plank road company to mortgage their road as a security for a loan," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Gross	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to confirm the official acts of Silas A. Webb, a justice of the peace of the county of Jefferson," was read the third time and passed, a majority of all the members elected to Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Tuttle
Mr. Crook	Mr. Owen	Mr. Upham
Mr. Cross	Mr. Robinson	

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the law for the assessment and collection of taxes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Brandreth	Mr. Curtis	Mr. Owen
Mr. Brown	Mr. Dart	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook		

19

## FOR THE NEGATIVE.

Mr. Fox

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the town of Fushing in the county of Queens to raise money by tax for the support of the poor and to sell part of their town lands," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	

26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the charter of the village of Herkimer," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross		

25

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled, "An act to pay Thomas Marvin for the loss of a horse while acting under the direction of the sheriff of Delaware county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham

24

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Cross
Mr. Colt		

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT.  
*Albany, April 2, 1850.*

*To the Senate:*

I have this day approved and signed the following bills :

An act to amend the Revised Statutes in relation to courts of special sessions and to regulate the police of the town of Water-vliet."

"An act to authorise the formation of railroad corporations and to regulate the same."

"An act authorising the appraisal and payment of canal damages to Jerome B. Ransom."

### HAMILTON FISH.

The bill entitled, "An act authorising the sale of certain arsenals and other property, and to provide for the safe keeping of the arms and other property belonging to the State," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Skinner
Mr. Beckman	Mr. Geddes	Mr. Stanton
Mr. Brown	Mr. Guinnip	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Curtis		

16

#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Mann	

14

Mr. Dart moved to reconsider the vote on the final passage of said bill.

Mr. Dart moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

The bill entitled, "An act to provide for the appraisal and payment of canal damages to Mathew Sayre," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Dimmick	Mr. Skinner	

14

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Upham
Mr. Cook	Mr. Mann	Mr. Williams

12

Mr. Curtis moved to reconsider the vote on the final passage of said bill.

Mr. Curtis moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

The bill entitled, "An act to confirm the action of the board of trustees of the village of Seneca Falls in purchasing a cemetery and in selling lots therein," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

30

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act authorising and requiring the Canal Commissioners to repair the public highway across the foot of Seneca lake, and to protect the banks of the Cayuga and Seneca canal against injury from the waters of said lake," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Schoonmaker
Mr. Brandreth	Mr. Curtis	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder



Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Mann	Mr. Noyes
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Upham,

The bill entitled, "An act in relation to Mutual insurance companies," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Crook	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to regulate the opening, widening and improvement of certain streets and avenues in the city of New-York," being upon its third reading;

Mr. Babcock moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone

Mr. Crolius	Mr. Johnson	Mr. Tuttle	
Mr. Crook	Mr. Mann	Mr. Upham	
Mr. Cross	Mr. Noyes	Mr. Williams	27

## FOR THE NEGATIVE.

Mr. Babcock	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the commissioners of the town of Brownville to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller	
Mr. Brandreth	Mr. Curtis	Mr. Noyes	
Mr. Brown	Mr. Dart	Mr. Schoonmaker	
Mr. Carroll	Mr. Fox	Mr. Skinner	
Mr. Colt	Mr. Geddes	Mr. Tuttle	
Mr. Cook	Mr. Guinnip	Mr. Williams	
Mr. Crook	Mr. Johnson		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for the promotion of the public health by draining certain swamp lands on Indian river in the towns of Theresa and Rossie," coming up for a third reading,

Mr. Dart moved to recommit said bill to a select committee with instructions to strike out all after the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Johnson	Mr. Skinner	
Mr. Cook	Mr. Mann	Mr. Stanton	
Mr. Crolius	Mr. Miller	Mr. Stone	
Mr. Cross	Mr. Noyes	Mr. Tuttle	
Mr. Dimmick	Mr. Owen	Mr. Upham	
Mr. Fox	Mr. Robinson		20

## FOR THE NEGATIVE.

Mr. Babcock  
Mr. Crook

Mr. Curtis

Mr. Dart

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to amend an act authorising the Comptroller to receive the returns of certain unpaid taxes in the county of Wyoming,'" was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Curtis  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Noyes  
Mr. Owen

Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

26

## FOR THE NEGATIVE.

Mr. Dart

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act incorporating the village of Plattsburgh and the several acts amendatory thereof," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beach  
Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller

Mr. Morgan  
Mr. Noyes  
Mr. Owen  
Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder  
Mr. Stanton  
Mr. Tuttle

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the Revised Statutes relating to grants of land under water," having been amended by unanimous consent, was read the third time and passed, two-thirds of all the members elected to the Senate voing in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Geddes	Mr. Robinson
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross		

22

## FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Johnson	

5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the agent of the Auburn state prison to pay a judgment against Henry Polhemus as agent of said prison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	

29

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to compel the determination of claims

to real property sold for taxes or assessments," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Curtis	Mr. Robinson	Mr. Williams
Mr. Dimmick		

25

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act authorising surrogates to invest surplus moneys arising from sales of real estate in certain cases," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

26

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to facilitate the construction of the Buffalo and State line railroad," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner

Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

26

## FOR THE NEGATIVE.

Mr. Cook	Mr. Dart	Mr. Mann	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

32

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The Senate then took a recess until 4 o'clock p. m.

## 4 O'CLOCK P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bill from the Assembly entitled, "An act to improve the navigation of the Seneca river at

Baldwinsville in the county of Onondaga," and after some time spent thereon, Mr. Morgan, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal an act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner, in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," and after some time spent thereon, Mr. Carroll, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly sent for concurrence the following resolutions, to wit :

*Resolved*, (if the Senate concur,) That the people of the State of New-York regard agriculture as the leading interest of the American people, and therefore eminently deserving the attention and care of the federal government.

*Resolved*, (if the Senate concur,) That the people of this State earnestly desire the establishment, in the home department, of a bureau of agriculture, for collecting and diffusing useful knowledge on agricultural subjects, and for such other purposes as may advance the interests, increase the wealth, and promote the general prosperity of the farming population of the United States.

*Resolved*, (if the Senate concur,) That our Senators and Representatives in Congress be respectfully requested to use their best efforts to procure the establishment and successful operation of such a bureau.

*Resolved*, (if the Senate concur,) That the Governor of this State be requested to transmit a copy of these resolutions to each of the Senators and Representatives from this State in Congress.

Mr. Miller moved to amend the resolutions by striking out all after the word resolved, and insert the following :

*Resolved*, (if the Assembly concur,) That the Legislature of the State of New-York; earnestly request the Senators and Representatives in this State in Congress, to use their utmost influence to prevent the establishment by law of a bureau of agriculture in the department of the interior of our national government whose duty it shall be to aid in promoting the general interests of agriculture throughout the commonwealth.

Mr. Mann moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to amend the act to provide for the assessment and collection of taxes in the city of Albany, passed March 23, 1851."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill, entitled, "An act to reorganize

and regulate the common schools and the board of education in the city of Brooklyn," with a message informing that they have concurred in the amendments of the Senate to the amendments of the Assembly to said bill

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to amend the several acts incorporating the village of Elmira, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Stone moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Babcock from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to the assistants appointed by the surrogate of the city and county of New-York," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to the court of sessions in and for the county of Washington," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to the mortgage, lease or sale of real estate pursuant to a surrogates order," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act in relation to the court of appeals and for the relief of certain suitors therein," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act for the more effectual protection of the property of married women,' passed April 7, 1848," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill entitled, "An act in regard to the better government of the Marine hospital," reported in favor of the passage of the same.



On motion of Mr. Williams,

*Ordered*, That said bill be referred to the committee on medical societies and colleges, to report complete.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill entitled, "An act in regard to the better government of the Marine hospital," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crook from the committee on claims, to which was referred the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Whiting Tuttle," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to incorporate the Herkimer county Mutual insurance company,' passed April 28, 1836," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to further amend the act incorporating the Buffalo and Hamburg turnpike company, passed January 23, 1830," reported in favor of the passage of the same which was committed to the committee of the whole.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Gravesend and Coney Island bridge and road company, passed March 22, 1823,'" reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to incorporate the New-York and Virginia steam ship company," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to incorporate the Poughkeepsie female collegiate institute in the village of Poughkeepsie," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to authorise the trustees of the several school districts in the county of Erie out of the city of Buffalo to appropriate a portion of the library money to the purchase of agricultural periodicals," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Crolius from the majority of the select committee, to which was referred the bill from the Assembly entitled, "An act to divide

the twelfth ward of the city of New-York into two wards," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Crolius from the select committee, to which was referred the bill entitled, "An act for the better protection of persons engaged in buildings where steam engines are used," reported the same complete with amendments.

Mr. Williams moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act to create the office of city judge of the city and county of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller from the select committee, to which was referred the bill from the Assembly entitled, "An act for the relief of the president, directors and company of the fourth great western turnpike road," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the select committee, to which was referred the bill from the Assembly entitled, "An act further to amend an act entitled, 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to alter the commissioners' map of the city of Brooklyn and for other purposes,' passed May 12, 1846," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act making an appropriation for the support in part of certain incorporated orphan Asylums in this State, passed April 11, 1849," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Mann from the select committee, to which was referred the bill from the Assembly entitled, "An act to authorise the trustees of the village of Oneida Castle to convey real estate," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Mann from the select committee, to which was referred the bill entitled, "An act to authorise the Seneca plank road company to borrow money," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson from the select committee, to which was referred the bill from the Assembly entitled, "An act entitled, 'An act to amend an act to incorporate the village of West Troy, and for other pur-

poses,' passed April 30, 1836," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Brown, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act for the better security of mechanics erecting buildings and furnishing materials therefor in the county of Richmond, passed May 11, 1846," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Brown from the select committee, to which was referred the bill entitled, "An act to authorise the cemetery of the Evergreens to hold real estate in the county of Queens," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Curtis, from the select committee to which was referred the bill from the Assembly entitled, "An act to authorise Edward Hubbard of Cornwall and Christian B. Miller and Thomas De J. Lancey of New Windsor to establish and continue a ferry across the Hudson river from Cornwall, in the county of Orange, to Cold Spring, in the county of Putnam," reported the same complete without amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to certain duties of commissioners of loans in the county of Fulton," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox from the select committee, to which was referred the bill entitled, "An act to authorise the Fort Plain and Cooperstown plank road company to borrow money and increase the number of directors," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fox from the select committee, to which was referred the bill entitled, "An act to consolidate school districts number one and eight in the town of Herkimer and to authorise them to borrow money," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Skinner from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the fire department of the village of Watertown," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill entitled, "An act to provide for the incorporation of insurance companies, passed April 10 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook, from the select committee, to which was referred the bill entitled, "An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the farmers' mutual insurance company of Erie county,' passed May 14, 1845," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to create the croton aqueduct department in the city of New-York,' passed April 11, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman, from the select committee, to which was referred the bill from the Assembly entitled, "An act to incorporate the female academy of the Sacred Heart in the city of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Robinson from the committee on canals, to which was referred the bill from the Assembly entitled, "An act for the relief of Lewis Benedict," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Robinson, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the Canal Commissioners to build a bridge over the Oswego canal in the village of Phoenix," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Secretary of State cause to be transcribed and submitted to the Senate at its next session, a copy of such parts of the legislative journal of the Colonial council as are not already in print.

Mr. Cook moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Canal Board be requested, at as early a day as practicable, to report to the Senate whether any thing has been done by them for the purpose of removing any building or buildings from the lands of the State near the upper aqueduct across the Mohawk river at Rexford's flats in the county of Saratoga, and whether

any such lands have been leased by the said board or any member of said board to any person, if so to whom and by what authority, and also what is the condition of a suit commenced by the late Attorney General against one James Knight to remove the said Knight from lands belonging to the State at Rexford's Flats, on which said Knight had persisted in keeping a small store contrary to the direction of one of the late Canal Commissioners.

Mr. Johnson moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That the Canal Commissioners be directed to suspend until the further order of the Legislature all work for the improvement or enlargement of the Oswego canal under the act chapter 214 of the laws of 1849, which is intended or will have the effect to alter or change the line or level of the Oswego canal, or any section or portion thereof as originally constructed, or to disconnect the navigation on said canal from the slack water above any of the dams on the Oswego river heretofore used for the purposes of navigation, but nothing herein contained shall be construed or is intended to prevent the rebuilding or changing the location of the locks on said canal in such a way as not to change the level or not substantially to change the original line of said canal.

Mr. Miller moved that said resolution be referred to the committee of the whole having in charge the bill on that subject.

Debate was had thereon, when pending the question,

On motion of Mr. Cross,

The Senate then adjourned until 10 o'clock to-morrow morning.

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## THURSDAY, APRIL 4, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Taggart.

The journal of yesterday was read and approved.

Mr. Geddes, from the select committee of eight, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

"An act to authorise the president, directors and company of the New Baltimore and Rensselaerville turnpike road company to sell

and convey their present turnpike road," to Messrs. Johnson, Cross and Tuttle.

"An act to repeal the charter of the Croton turnpike company," to Messrs. Brandreth, Crook and Beekman.

"An act to enable the trustees, receivers and assignees to become petitioning creditors under article third, title first, chapter fifth, part second of the Revised Statutes," to Messrs. Babcock, Mann and Colt.

"An act to improve the quality of salt manufactured in the county of Onondaga and to protect the purchasers of the same, and to furnish brine for the city of Syracuse," to Messrs. Colt, Geddes and Robinson.

"An act to change the name of Electa Bradley, and her children to change their names," to Messrs. Geddes, Babcock and Mann.

"An act in relation to free schools in the city of Troy," to Messrs. Carroll, Cook and Beekman.

"An act to amend an act to incorporate the Herkimer mutual insurance company," to Messrs. Fox, Cook and Curtis.

"An act in relation to the court of sessions in and for the county of Washington," to Messrs. Cook, Babcock and Schoonmaker.

"An act to provide for the erection of a city hall in the city of Utica," to Messrs. Mann, Cross and Beekman.

"An act to amend an act entitled, 'An act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1849," to Messrs. Mann, Robinson and Williams.

"An act to incorporate the Poughkeepsie female collegiate institute in the village of Poughkeepsie," to Messrs. Beekman, Snyder and Schoonmaker.

"An act in relation to the court of appeals, and for the relief of certain suitors therein," to Messrs. Babcock, Mann and Owen.

"An act in relation to the assistants appointed by the surrogate of the city and county of New-York," to Messrs. Beekman, Babcock and Brown.

"An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the village of Lockport, passed March 26, 1829,' and the several acts amendatory thereof, passed May 13, 1846," Upham, Beekman and Cross.

"An act in relation to the Deerfield McAdam road," to Messrs. Mann, Morgan and Crolius.

"An act to authorise the transportation of live stock and fresh meat on railroads free from canal tolls," to Messrs. Morgan, Beach and Curtis.

"An act to change the name of Oliver P. Buck to Oliver P. Wethey," to Messrs. Beach, Babcock and Schoonmaker.

"An act for the preservation of game in the counties of Suffolk, Queens, Kings, Richmond, New-York, Westchester, Rockland, Putnam, Dutchess, Orange, Ulster, Columbia, Greene, Albany, Rensselaer, Schenectady, Saratoga and Washington."

Mr. Colt moved that said last mentioned bill be stricken out from the report of the committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to amend an act entitled, 'An act to incorporate the Gravesend and Coney Island bridge and road company,' passed March 22, 1823," to Messrs. Brown, Miller and Cross.

"An act to prohibit corporations from interposing the defence of usury in any action," to Messrs. Cook, Tuttle and Crolius.

"An act in relation to the mortgage, lease, or sale of real estate pursuant to a surrogate's order," to Messrs. Babcock, Mann and Morgan.

"An act to provide for the construction of a bridge across the Erie canal near Shelby basin in the county of Orleans," to Messrs. Upham, Crolius and Tuttle.

"An act to unite the two railroad companies between Syracuse and Rochester into one company, and to provide for the construction of a more direct and level railroad between said cities," to Mr. Geddes.

"An act to regulate the salary of policemen in the city of New-York."

Mr. Williams moved that said last mentioned bill be stricken out from the report of the committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled, "An act to determine the claim of William W. Niles," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Carroll	Mr. Guinnip	Mr. Robinson
Mr. Colt	Mr. Mann	Mr. Skinner
Mr. Crolius	Mr. Miller	Mr. Snyder
Mr. Crook	Mr. Noyes	Mr. Stone
Mr. Curtis		

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#### FOR THE NEGATIVE.

Mr. Beach	Mr. Dart	Mr. Johnson
Mr. Brown	Mr. Dimmick	Mr. Tuttle
Mr. Cook	Mr. Geddes	Mr. Upham
Mr. Cross		

10

Mr. Owen moved to reconsider the vote on the final passage of said bill.

Mr. Owen moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to submit to the people at the next election the question of the repeal of the act establishing free schools throughout the State."

"An act to amend the act to provide for the incorporation of insurance companies, passed April 10, 1849."

"An act to authorise the Cemetery of the Evergreens to hold real estate in the county of Queens."

"An act for the determination of the claim of William W. Niles."

"An act to supply the Black river canal with water by damming the lakes at the head of Black, Moose and Beaver rivers."

"An act to repeal an act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same relates to the town of Yorktown."

*Ordered*, That said bills do have their third reading.

The bill entitled, "An act to amend the act to provide for the incorporation of insurance companies, passed April 10, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Dart	Mr. Noyes	Mr. Upham
		24

FOR THE NEGATIVE.

Mr. Babcock	.	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to repeal an act to revive and amend the act entitled, 'An act appointing commissioners to lay out a road from Peekskill, in the county of Westchester, to the store of James Towner in the county of Putnam,' so far as the same in any way relates to the town of Yorktown," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson	
Mr. Beach	Mr. Fox	Mr. Schoonmaker	
Mr. Beekman	Mr. Geddes	Mr. Skinner	
Mr. Brandreth.	Mr. Guinnip	Mr. Stone	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Owen	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Colt	Mr. Crook	Mr. Noyes	
Mr. Cook	Mr. Mann	Mr. Tuttle	6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to submit to the people at the next election the question of the repeal of the act establishing free schools throughout the State," being upon its third reading,

Mr. Carroll moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Geddes	Mr. Robinson	
Mr. Beach	Mr. Guinnip	Mr. Schoonmaker	
Mr. Colt	Mr. Johnson	Mr. Skinner	
Mr. Cook	Mr. Mann	Mr. Tuttle	
Mr. Crook	Mr. Miller	Mr. Upham	
Mr. Cross	Mr. Owen	Mr. Williams	
Mr. Dimmick			19

## FOR THE NEGATIVE.

Mr. Beekman	Mr. Crolius	Mr. Noyes	
Mr. Brandreth	Mr. Dart	Mr. Snyder	
Mr. Carroll	Mr. Fox	Mr. Stone	9

Mr. Carroll moved to reconsider the vote on the final passage of said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to supply the Black river canal with water by daming the lakes at the head of Black, Moose and Bea-

ver rivers," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	

26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to regulate the free schools in the city of Auburn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Noyes	

23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act authorising the building of bridges over the Erie and Oswego canals in the city of Syracuse," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone

Mr. Colt	Mr. Johnson	Mr. Tuttle	
Mr. Cook	Mr. Miller	Mr. Upham	
Mr. Crolius	Mr. Morgan	Mr. Williams	
Mr. Cross	Mr. Noyes		26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to divide the twelfth ward of the city of New-York into two wards," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Owen	
Mr. Beekman	Mr. Curtis	Mr. Robinson	
Mr. Brandreth	Mr. Dart	Mr. Skinner	
Mr. Brown	Mr. Dimmick	Mr. Stone	
Mr. Colt	Mr. Fox	Mr. Tuttle	
Mr. Cook	Mr. Geddes	Mr. Upham	
Mr. Crolius	Mr. Guinnip	Mr. Williams	
Mr. Crook	Mr. Morgan		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise the Seneca plank road company to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Robinson	
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker	
Mr. Brown	Mr. Dimmick	Mr. Skinner	
Mr. Colt	Mr. Geddes	Mr. Stone	
Mr. Cook	Mr. Guinnip	Mr. Tuttle	
Mr. Crolius	Mr. Miller	Mr. Upham	
Mr. Crook	Mr. Owen		20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the act passed April 24, 1837, entitled 'An act to incorporate the village of Black Rock,' and the several acts amending the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the mem-

bers elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

27

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to improve the navigation of the Seneca river at Baldwinsville, in the county of Onondaga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		

25

## FOR THE NEGATIVE.

Mr. Curtis

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act for the better protection of mechanics and others erecting buildings and furnishing materials therefor in the county of Richmond,' passed May 11, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

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## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Curtis	Mr. Noyes
Mr. Brown	Mr. Dart	Mr. Owen
Mr. Carroll	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crolius	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 3, 1850.* }

*To the Senate:*

I have this day approved and signed the bill entitled, "An act to release to the relatives of Emma Hughes, late of London, in England, deceased, the interest of the people of the State of New-York in certain personal property."

HAMILTON FISH.

By unanimous consent,

Mr. Dart moved that the bill from the Assembly entitled, "An act declaring Rackett river in the State of New-York a public highway and regulating the passage of lumber down the same," be recommended to a select committee to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 4, 1850.* }

*To the Senate:*

I return to the Senate a bill entitled, "An act in relation to the society for the reformation of juvenile delinquents in the city of New-York," with the objections which presented themselves to me against giving to it my approval.

The bill provides that certain premises now under lease to the managers of the society for the reformation of juvenile delinquents in the city of New-York, shall, upon the sale thereof, be released and discharged from the lien and incumbrance of the sinking fund

of the city of New-York; and that instead of such lien and incumbrance any premises "which shall be procured by the said society for the site and erection thereon of their buildings," shall be subject to the lien and incumbrance of said sinking fund in the same manner and to the same extent that the premises now occupied by the said society are now subject thereto.

The fee of the property now under lease to this society, which it is proposed to discharge from the lien of the sinking fund, belongs to the corporation of the city of New-York, and did so belong on the 22nd of February, 1844. The land is leased to the society for the use of the House of Refuge, to revert to the city whenever it shall cease to be thus used.

On 22nd February, 1844, the mayor, aldermen and commonalty of the city of New-York adopted an ordinance, providing for the redemption of the city debt, and the payment of the interest thereon, (corporation ordinances, revised 1845, page 211,) whereby all money received and to be received from several sources, and among others "The nett proceeds of all sales of real estate belonging to the corporation, when sold" were pledged, appropriated to, and constituted and formed a fund called "The sinking fund of the city of New-York for the redemption of the city debt" until the whole of the stocks of the city of New-York shall be finally and fully redeemed. This ordinance was recognized by an act of the Legislature passed May 13, 1845, (laws 68th session chap. 225) which act declared that the ordinance should not be amended without the consent of the Legislature, except by appropriating additional sources of revenue thereto. The object of this prohibition was to prevent the withdrawal of any of the property or sources of income pledged to the sinking fund, whereby the security of the creditors of the city might be in any degree diminished.

It is now proposed to release the land occupied by the House of Refuge, constituting a part of the property pledged to the creditors of the city of New-York for the redemption of its public debt, from the lien of that debt, and to substitute in lieu thereof a lien upon "any premises which shall be procured by the said society for the site and erection thereon of their buildings." It does not appear from the bill what shall be the value of the premises thus to be procured by the society. If (as is alleged) the premises thus to be procured shall be of far inferior value to the land released from the lien of the sinking fund, it is manifest that a wrong will be committed upon the creditors of the city who have loaned their money upon the faith of the security of these lands.

Another objection to the terms of the bill is that while it proposes to release from the lien of the sinking fund, lands belonging to the city of New-York now leased to the society for the reformation of juvenile delinquents it proposes to transfer the lien from the property of the city to premises which shall be procured by the society itself. The power of the State to transfer an incumbrance upon property belonging to one party, but occupied by another, to other

property which is about to be procured by the occupant, will scarcely be asserted, and yet this is precisely what the bill proposes to effect.

The credit of the city of New-York stands deservedly high and should not in any degree be impaired. The sanctity of public faith and the inviolability due to contracts and public engagements, require that if the public necessity demands a substitution of securities for any portion of those pledged for the redemption of those engagements, care be taken that those substituted be fully of equal value with those released, and that no room be left for doubt as to the validity of the lien imposed upon the substituted property.

The Legislature has prohibited the corporation of the city from altering the ordinance which created the lien by diminishing the security. It has thus in a degree, assumed the guardianship over the fund, and the protection of its inviolability. It should therefor be held to a rigid scrutiny into any proposed alteration of the securities, which have been pledged to the sinking fund.

The character of the corporation of the city of New-York may afford an assurance that no advantage will be taken of the manner in which this bill has been drawn, to diminish the amount of security to the fund for the benefit of its creditors. But this reliance will not justify the enactment of a law, which, by permitting a wrong, that may not, and doubtless will not be committed, will yet stand upon the statute books and may be appealed to in future times as an evidence of improvident legislation, if not as a precedent for the commission of acts such as this bill would sanction.

I have the less hesitation in returning this bill from the fact that I am convinced that the parties who have asked it, contemplated no such action as would be inconsistent with the most scrupulous regard to the integrity of the entire fund, to which the lands referred to in the bill are pledged. Should the Legislature not deem the objections which I have presented of sufficient weight to arrest the enactment of the bill into a law, my duty will have been discharged in presenting those objections. Approving of the objects which I understand to be proposed by the corporation of New-York, and the society for the reformation of juvenile delinquents, I trust that a bill to effect those objects can be readily framed which shall be free from the objections which compel me, to return this bill, without my signature, to the Senate.

The President put the question whether the Senate wou'd pass the bill notwithstanding the objections of the Governor, and it was decided in the negative, as follows :

#### FOR THE NEGATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll

Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick  
Mr. Fox

Mr. Owen  
Mr. Robinson  
Mr. Schoonmaker  
Mr. Skinner  
Mr. Snyder

Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Geddes  
Mr. Mann  
Mr. Miller  
Mr. Noyes

Mr. Stone  
Mr. Upham  
Mr. Williams

26

The bill from the Assembly entitled, "An act to authorise the trustees of the village of Oneida castle to convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beckman  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook

Mr. Crolius  
Mr. Cross  
Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Mann  
Mr. Morgan

Mr. Noyes  
Mr. Robinson  
Mr. Skinner  
Mr. Snyder  
Mr. Stone  
Mr. Upham  
Mr. Williams

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise Benjamin Hook, of the city of New-York, regger, to change his name," was read the third time and passed, a majority of all the members elected to the Senate voing in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock  
Mr. Beekman  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius

Mr. Crook  
Mr. Cross  
Mr. Dimmick  
Mr. Fox  
Mr. Miller  
Mr. Noyes

Mr. Owen  
Mr. Robinson  
Mr. Skinner  
Mr. Stone  
Mr. Upham  
Mr. Williams

18

*Ordered,* That the Clerk return said bil to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the New-York medical college," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Crook		

28

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act for the relief of captain Titus Felix Garzinski late of the first regiment of New-York volunteers," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Noyes
Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham

24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the New-York juvenile asylum," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the relief of Bigham, Stewart & Co., and final settlement of their accounts as contractors on section No. 14 of the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the relief of Zebulon Moore," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled, 'An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed

April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843, passed March 29, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Brandreth	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act further to amend an act entitled, 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Cross	Mr. Owen	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Mann	Mr. Williams
Mr. Curtis	Mr. Morgan	

23

## FOR THE NEGATIVE.

Mr. Beach	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Elias Stillwell," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Colt	Mr. Cross	Mr. Curtis	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend 'An act relating to common schools in the village of Medina,' passed April 9, 1849," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Crook	Mr. Johnson
Mr. Brandreth	Mr. Cross	Mr. Miller
Mr. Brown	Mr. Dart	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Upham

## FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Colt	Mr. Mann	Mr. Skinner
Mr. Cook	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Robinson	

12

Mr. Carroll moved to reconsider the vote on the final passage of said bill.

Mr. Carroll moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to amend the act incorporating the Saratoga and Washington railroad company," being upon its third reading,

Mr. Cook moved to recommit said bill with instructions to amend the same by adding the following:

§ 2. In the construction of a tunnel under Church street in the village of Whitehall, it shall not be lawful to break up the surface of said street, and any damage which may be sustained by the property of the village, or of any inhabitant thereof, by the falling in of the earth or otherwise during the construction of the said tunnel may be appraised by a commissioner to be appointed by the supreme court on the application of any person aggrieved, whose award as to damages shall be final and shall be a lien upon the property of said Saratoga and Washington railroad company.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

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## FOR THE NEGATIVE.

Mr. Cook

Mr. Mann

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to procure a law library for the office of the Attorney General," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson	
Mr. Beach	Mr. Dart	Mr. Skinner	
Mr. Beekman	Mr. Fox	Mr. Snyder	
Mr. Carroll	Mr. Guinnip	Mr. Stone	
Mr. Colt	Mr. Mann	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Noyes	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Cook	Mr. Dimmick	Mr. Johnson	3
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Mr. Johnson moved to reconsider the vote on the final passage of said bill.

Mr. Johnson moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the negative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to create the Croton aqueduct department in the city of New-York,' passed April 11, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker

Mr. Beekman	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Geddes	Mr. Stone	
Mr. Cook	Mr. Guinnip	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Noyes	Mr. Williams	24

*Ordered*, That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to alter the commissioners' map of the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson	
Mr. Carroll	Mr. Dart	Mr. Schoonmaker	
Mr. Colt	Mr. Dimmick	Mr. Skinner	
Mr. Cook	Mr. Fox	Mr. Snyder	
Mr. Crolius	Mr. Geddes	Mr. Tuttle	
Mr. Crook	Mr. Guinnip	Mr. Upham	
Mr. Cross	Mr. Morgan	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to amend the act passed March 13, 1837, to divide the city of Schenectady into four wards, and to amend the act passed April 29, 1833, relating to the city of Schenectady," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Schoonmaker	
Mr. Brandreth	Mr. Cross	Mr. Skinner	
Mr. Brown	Mr. Curtis	Mr. Snyder	
Mr. Carroll	Mr. Dimmick	Mr. Tuttle	
Mr. Colt	Mr. Fox	Mr. Upham	
Mr. Cook	Mr. Johnson	Mr. Williams	
Mr. Crolius	Mr. Morgan		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Carroll, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the several acts incorporating the village of Elmira in the county of Chemung," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beach moved to reconsider the vote on the final passage of the bill entitled, "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees."

Mr. Beach moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay the said motion to reconsider on the table, and it was decided in the affirmative.

Mr. Beach moved to reconsider the vote on the final passage of the bill entitled, "An act for the appraisal and payment of canal damages to Elias Stilwell."

Mr. Beach moved that said motion to reconsider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

Mr. Cross presented the petition of inhabitants of New-York and Brooklyn for a law compelling the New-York and New Haven railroad company to establish a depot at Eastchester, which was referred to the committee on railroads.

Mr. Crolus presented the memorial of inhabitants of New-York for the repeal of the laws which relate to local assessments, which was committed to the committee of the whole.

Mr. Johnson presented the remonstrance of inhabitants of the village of Cohoes against the bill in relation to excise in said village, which was committed to the committee of the whole.

By unanimous consent,

Mr. Colt introduced a bill entitled, "An act to extend the time for the collection of taxes in the city of Syracuse," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Colt, and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and



three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Schoonmaker
Mr. Cook	Mr. Johnson	Mr. Skinner
Mr. Crolius	Mr. Miller	Mr. Snyder
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dimmick		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Geddes and by unanimous consent,

*Resolved*, That the Clerk of the Senate be directed to cause to be printed in pamphlet form, with marginal notes, for the use of the Senate, 300 copies of the act to authorise the formation of railroad corporations and to regulate the same, and that the expense thereof be paid out of the contingent fund.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to enable the Seneca nation of Indians to determine their form of government," and after some time spent thereon, Mr. Cross, from said committee, reported the bill to the Senate with the enacting clause stricken out.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to authorise the Commissioners of the Land Office to hear and determine the claim of Henry Jordan for services rendered to the State as interpreter for the Oneida Indians," and after some time spent thereon, Mr. Fox, from said committee, reported in favor of the passage of the same with amendments.

The President put the question whether the Senate would agree to the said report, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Owen	Mr. Stone
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2

FOR THE NEGATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Mann	Mr. Snyder
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Dimmick	Mr. Noyes	Mr. Williams

18

Mr. Mann moved that the bill entitled, "An act authorising contracts for loan and forbearance on personal security for short periods," be referred to a select committee to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Guinnip moved that the bill from the Assembly entitled, "An act to amend the several acts incorporating the village of Elmira in the county of Chemung," be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise the Comptroller to release certain lands in the town of Ghent to Edward L. Coburn," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act for the relief of Patrick Higgins," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to consolidate school districts number one and number eight in the town of Herkimer and authorise them to borrow money."

"An act to authorise the Fort Plain and Cooperstown plank road company to borrow money and to increase their number of directors."

*Ordered*, That said bills do have their third reading.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly entitled, "An act to authorise a loan to the county of Putnam and for other purposes," reported and asked to be discharged from the further consideration of said bill and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act authorising the comptroller to pay certain moneys to commissioners for building a bridge across the Tonewanda creek," reported adverse to the passage of the same, which was committed to the committee of the whole.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to amend an act entitled, 'An act to authorise the business of banking,' passed May 4, 1840,'" reported in favor of the passage of the same.

On motion of Mr. Cook,

Said bill was referred to the committee on banks and insurance companies to report complete.

Mr. Johnson, from the committee on claims, to which was referred a bill from the Assembly entitled, "An act for the relief of John Lafoy and Joshua W. Clemons," reported the same for the consideration of the Senate with amendments.

On motion of Mr. Schoonmaker,

*Ordered*, That said report be laid upon the table.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act providing for the relief of the heirs of John Fort," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him in consequence of detaining certain school monies while acting as school commissioner for the town of New-Berlin," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to unite and consolidate school districts number ten, three and eight in the village of Watertown and county of Jefferson and to raise money to purchase and build school houses," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Crook from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of William Stemmergh," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Johnson from the select committee, to which was referred the bill from the Assembly entitled, "An act to authorise the president, directors and company of the New Baltimore and Rensselaerville turnpike road to sell and convey their present turnpike road," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Geddes from the select committee, to which was referred the bill from the Assembly entitled, "An act to unite the two railroad companies between Syracuse and Rochester into one company and to provide for the construction of a more direct and level railroad between said cities," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to mortgage, lease or sale of real estate pursuant to a surrogates order," reported

the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to the court of appeals and for the relief of certain suitors therein," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill from the Assembly entitled, "An act to enable trustees, receivers and assignees to become petitioning creditors under article third title first, chapter fifth, part second of the Revised Statutes," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act authorising Electa Bradley and her children to change their names," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Colt, from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to the collection of taxes on lands of non-residents and to provide for the sale of lands returned for unpaid taxes in the counties where they were assessed," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to the court of sessions in and for the county of Washington," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the select committee, to which was referred the bill from the Assembly entitled, "An act to prohibit corporations from interposing the defence of usury in any action," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the select committee to which was referred the bill entitled, "An act to authorise the transportation of live stock and fresh meat on railroads free from canal tolls," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Beekman, from the select committee of eight, reported in favor of referring the following bills to select committees to report complete, and the question being taken upon said report it was determined in the affirmative, and they were severally referred to committees, as follows :

"An act to incorporate Rich's institute for physical training," to Messrs. Robinson, Beekman and Owen.

"An act to amend an act entitled, 'An act in settlement of the claim of the first christian party of Oneida Indians,' passed April 9, 1849," to Messrs. Stone, Tuttle and Crolius.

Mr. Mann from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled,

'An act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Mann from the select committee, to which was referred the bill entitled, "An act in relation to the Deerfield McAdam road," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Mann, from the select committee, to which was referred the bill from the Assembly entitled, "An act to provide for the erection of a city hall in the city of Utica," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Geddes, from the select committee of eight, reported as proper to be referred to a select committee to report complete, the bill from the Assembly entitled, "An act to authorise the consolidation of the Tonawanda railroad company and the Utica and Buffalo railroad company into a single corporation and prescribing the powers of such corporation."

*Ordered*, That said bill be referred to the committee on railroads to report complete.

Mr. Geddes from the committee on railroads reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend 'An act to incorporate mutual insurance companies,' passed April 28, 1836," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Crolius moved that the bill entitled, "An act to amend an act to incorporate the American female guardian society," be referred to the committee on medical societies and colleges to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker, from the select committee appointed to investigate certain alleged frauds upon the Chemung canal, reported in writing.

*(See Doc. No. 102.)*

Mr. Johnson moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that five times the usual number of said report be printed for the use of the Legislature and 1000 copies for the use of the Canal Commissioners.

*Ordered*, That the said motion be referred to the committee on public printing.

A bill was received from the Assembly for concurrence entitled,

‘An act making an appropriation to the Black river canal,” which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on canals.

A bill was received from the Assembly for concurrence entitled, “An act to change the corporate name of the Hope chapel Baptist church and congregation of the city of New-York to the Broadway Baptist church,” which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Williams,

*Ordered*, That said bill be referred to the committee on charitable and religious societies to report complete.

A bill was received from the Assembly for concurrence entitled, “An act regulating the assessment of taxes on incorporated companies,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, “An act to incorporate the Manhattan savings institution,” which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, “An act to regulate the rates of wharfage on lighters in the city of New-York and Brooklyn,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, “An act authorising surrogates to invest surplus moneys arising from sale of real estate in certain cases.”

*Ordered*, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, “An act authorising the building of bridges over the Erie and Oswego canal in the city of Syracuse.”

*Ordered*, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, “An act to amend ‘An act to incorporate the city of Syracuse,’ passed December 14, 1847, and also the act amending the same passed April 5, 1849.”

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, “An act in relation to the canal debt and the maintenance of the canals for the fiscal year commencing October 1, 1850,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, “An act making an appropriation to the Genesee Valley canal,” which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation to the Erie canal enlargement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the canal debt falling due on the first day of January and the first day of April 1851," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to facilitate the construction of the Hudson river railroad," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Babcock offered for the consideration of the Senate, the following resolutions, to wit:

*Resolved*, That the Hon. Mr. Schoonmaker be discharged from any farther duties upon the standing committee on claims during the remainder of this session.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

On motion of Mr. Babcock,

*Resolved*, That the select committee of eight be directed not to report bills which have been reported upon unfavorably by any standing committee, or which have been reported for the consideration of the Senate only.

On motion of Mr. Babcock, and by unanimous consent,

*Resolved*, That from and after adjournment of the Senate on Friday of this week no local or private bill shall be introduced by any Senator or reported by any standing committee of the Senate, except bills from the Assembly.

Mr. Cook moved to reconsider said resolution.

Mr. Cook moved to lay said motion to reconsider on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robinson from the select committee, to which was referred the bill entitled, "An act to incorporate the American female guardian society," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Miller introduced the bill entitled, "An act to amend the 'Act to authorise the establishment of the House of Refuge for juvenile delinquents in western New-York,' passed May 8, 1846," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Mr. Miller moved that said bill be referred to a select committee to report complete.

*Ordered*, That Messrs. Miller, Mann and Williams be such committee.

On motion of Mr. Guinnip,  
The Senate then adjourned until 10 o'clock to-morrow morning.

## FRIDAY, APRIL 5, 1860.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wise.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Cross introduced a bill entitled, "An act to authorise an election of officers in the village of silver creek," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cross and by unanimous consent,

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Mann
Mr. Beach	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Carroll	Mr. Geddes	Mr. Upham
Mr. Colt	Mr. Guinnip	Mr. Williams
Mr. Crolius		

22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Brandreth moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the town of Westchester in the county of Westchester, as assessed upon John D. Wolfe and others," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and



three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Beach	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Carroll	Mr. Guinnip	Mr. Upham
Mr. Colt	Mr. Johnson	Mr. Williams
Mr. Crolius	Mr. Mann	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to facilitate the construction of the Hudson river railroad," reported and asked to be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary to report complete.

Mr. Dart, from the select committee, to which was referred the bill entitled, "An act to amend the charter of the village of Ogdensburg," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Geddes, from the select committee of eight, reported as proper to be referred to a select committee to report complete the bill entitled, "An act to repeal sections two and three of an act in relation to the Oswego canal, passed April 5, 1849."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That Messrs. Miller, Geddes and Mann, be said committee.

Mr. Dimmick, from the select committee of eight, reported as proper to be referred to a select committee to report complete the bill entitled, "An act prescribing the powers and duties of the State Engineer and Surveyor and of the engineers employed on the public works."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Upham, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the village of Lockport,' passed March 26, 1829, and the several acts amendatory thereof, passed May 13, 1846," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham, from the select committee to which was referred the bill from the Assembly entitled, "An act to authorise the construction of a canal bridge near Shelby Basin in the county of Orleans," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Genesee Valley canal," reported in favor of the passage of the same without amendment.

On motion of Mr. Upham,

*Ordered*, That said bill be referred to the committee on canals to report complete.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Erie Canal Enlargement," reported in favor of the passage of the same.

On motion of Mr. Upham,

*Ordered*, That said bill be referred to the committee on canals to report complete.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Black River canal," reported in favor of the passage of the same without amendment.

On motion of Mr. Upham,

*Ordered*, That said bill be referred to the committee on canals to report complete.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Emigrant Industrial Savings Bank," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief of Clark Crandall," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly, entitled "An act to pay William H. C. Hosmer, for attending as a witness in behalf of the State, on the trial of Alexander McLeod," reported in favor of the passage of the same without amendment.

On motion of Mr. Colt,

*Ordered*, That said bill be referred to the committee on claims to report complete.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly, entitled "An act to pay Lewis W. Beecher for attending as a witness in behalf of the State, on the trial of Alexander McLeod," reported in favor of the passage of the same without amendment.

On motion of Mr. Cook,

*Ordered*, That said bill be referred to the committee on claims to report complete.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend and consolidate the several acts relating to the city of Rochester," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Cook,

The Senate proceeded to the consideration of the bill from the Assembly, entitled "An act to provide for the appraisal and payment of canal damages to Elias Stilwell," and the question being on the motion to reconsider,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr Cook moved said bill be referred to the committee on canals, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Cook,

The Senate then proceeded to the consideration of the bill from the Assembly, entitled "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees," and the question being on the motion to reconsider,

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cook moved said bill be referred to the committee on canals to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to prohibit incorporated companies from interposing the defence of usury in any case," reported in writing, which was laid on the table.

(See Doc. No. 112.)

Mr. Cook moved said bill be recommitted to the same select committee to report complete.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred so much of the Governor's message as relates to the punishment for crimes, reported the bill entitled, "An act to mitigate the severity of criminal punishment," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Babcock,

Ordered, That said bill be referred to the committee on the judiciary to report complete.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill be referred to the committee on the judiciary to report complete.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act in relation to taxes for highway purposes in the county of Fulton," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Colt, from the select committee, to which was referred the bill from the Assembly entitled, "An act to improve the quality of the salt manufactured in the county of Onondaga and to protect the purchasers of the same and to furnish brine for the use of the city of Syracuse," reported the same complete with amendments, and the title altered to read "An act to improve the quality of the salt manufactured in the county of Onondaga and to protect the purchasers thereof."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Brandreth from the select committee, to which was referred the bill from the Assembly entitled, "An act establishing a ferry across the Hudson river from Howard's wharf or dock at Breakneck in the town of Phillips, in the county of Putnam to the west shore of the Hudson river, aforesaid, in the town of Cornwall, in the county of Orange," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller from the select committee, to which was referred the bill entitled, "An act to repeal sections two and three of an act in relation to the Oswego canal, passed April 5, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to prohibit corporations from interposing the defence of usury in any action," reported the same complete with amendments.

Mr. Curtis moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the select committee, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Beach from the committee on public printing, to which was referred the resolution to print extra numbers of the report of the select committee to investigate the alleged frauds on the Chemung canal, recommends the following resolution:

*Resolved*, That the usual number be printed for the use of the

Legislature, and 1000 additional copies for the use of the commissioners.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Beach from the majority of the committee on State prisons, to which was referred the petition for that purpose, reported the bill entitled, "An act for the relief of Hotchkiss and Smith," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Dart from the majority of the select committee, to which was referred the bill from the Assembly entitled, "An act declaring Rackett river in the State of New-York a public highway, and regulating the passage of lumber down the same," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman, from the select committee to which was referred the bill from the Assembly entitled, "An act in relation to the assistants appointed by the surrogate of the city and county of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Johnson, from the select committee to which was referred the bill from the Assembly entitled, "An act to provide for a supply of water in the city of Albany," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

The bill from the Assembly entitled, "An act to make certain pauper expenses, town charges in Dutchess county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Morgan
Mr. Beekman	Mr. Fox	Mr. Noyes
Mr. Brandreth	Mr. Geddes	Mr. Owen
Mr. Cook	Mr. Guinnip	Mr. Robinson
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis		

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Cross, from the select committee, to which was referred the bill entitled "An act in relation to interments in certain cities and villages," reported the said bill complete with amendments, and the title amended to read, "An act in relation to interments in the city of Brooklyn."

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That the said bill be engrossed for a third reading.

The bill entitled "An act in regard to the government of the Marine Hospital," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Noyes
Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Brandreth	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross		

33

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act in relation to the mortgage, lease or sale of real estate, pursuant to the surrogate's order," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Noyes
Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Brandreth	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to the court of appeals, and for the relief of certain suitors therein," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Noyes
Mr. Brandreth	Mr. Fox	Mr. Owen

Mr. Carroll	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to provide for a supply of water in the city of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Dart	Mr. Morgan
Mr. Carroll	Mr. Dimmick	Mr. Noyes
Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Geddes	Mr. Schoonmaker
Mr. Crolius	Mr. Guinnip	Mr. Snyder
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Upham
Mr. Curtis	Mr. Miller	Mr. Williams

24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the United States Mail Steamship Company," having been amended by unanimous consent, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Johnson
Mr. Beekman	Mr. Crook	Mr. Miller
Mr. Brandreth	Mr. Cross	Mr. Robinson
Mr. Brown	Mr. Curtis	Mr. Schoonmaker
Mr. Colt	Mr. Dimmick	Mr. Upham
Mr. Cook	Mr. Guinnip	Mr. Williams

18

## FOR THE NEGATIVE.

Mr. Dart	Mr. Mann	Mr. Stone
Mr. Fox	Mr. Noyes	

5

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled "An act to authorise the Fort Plain and Cooperstown Plank Road Company to borrow money, and to increase their number of directors," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brown	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to consolidate school districts number one and eight, in the town of Herkimer, and authorise them to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Carroll,

The Senate proceeded to the consideration of the bill entitled "An act to amend an act relating to common schools in the village of Medina," passed April 9, 1849," and the question being on the the motion to reconsider,

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Morgan
Mr. Brandreth	Mr. Fox	Mr. Noyes
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Curtis		

19

## FOR THE NEGATIVE.

Mr. Colt	Mr. Mann	Mr. Schoonmaker
Mr. Cook	Mr. Robinson	

5

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to prohibit corporations from interposing the defence of usury in any action," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Morgan
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook		

18

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Guinnip	Mr. Noyes
Mr. Carroll	Mr. Mann	Mr. Snyder
Mr. Curtis		

7

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the relief of the Missionary Society of the Methodist Episcopal Church," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Robinson

Mr. Carroll	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Guinnip	Mr. Snyder	
Mr. Cook	Mr. Johnson	Mr. Stone	
Mr. Crolius	Mr. Mann	Mr. Upham	
Mr. Cross	Mr. Miller	Mr. Williams	24

## FOR THE NEGATIVE.

Mr. Crook	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act making an appropriation for the support in part of certain incorporated orphan asylums in this State,' passed April 11, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan	
Mr. Beach	Mr. Curtis	Mr. Noyes	
Mr. Beekman	Mr. Dimmick	Mr. Snyder	
Mr. Brown	Mr. Fox	Mr. Stone	
Mr. Carroll	Mr. Geddes	Mr. Upham	
Mr. Crolius	Mr. Johnson	Mr. Williams	
Mr. Crook	Mr. Miller		20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to enable trustees, receivers and assignees to become petitioning creditors under article third, title first chapter fifth, part second of the Revised Statutes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes	
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker	
Mr. Brown	Mr. Fox	Mr. Snyder	
Mr. Carroll	Mr. Geddes	Mr. Stone	
Mr. Colt	Mr. Guinnip	Mr. Upham	
Mr. Crolius	Mr. Miller	Mr. Williams	
Mr. Crook	Mr. Morgan		20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to unite the two railroad companies between Syracuse and Rochester into one company, and to provide for the construction of a more level and direct railroad between said cities," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Curtis	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Stone
Mr. Colt	Mr. Geddes	Mr. Upham
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Crolius	Mr. Mann	

20

**FOR THE NEGATIVE.**

Mr. Schoonmaker

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise the president, directors, and company of the New Baltimore and Refselaerville turnpike road to sell and convey their present turnpike road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Crook	Mr. Johnson
Mr. Brandreth	Mr. Cross	Mr. Noyes
Mr. Brown	Mr. Curtis	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Stone
Mr. Cook	Mr. Geddes	Mr. Upham
Mr. Crolius	Mr. Guinnip	Mr. Williams

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act authorising the consolidation of the Tonewanda railroad company and the Attica and Buffalo railroad company into a single corporation and prescribing the powers of such corporation," was read a third time and

passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Geddes	Mr. Upham
Mr. Cook	Mr. Guinnip	Mr. Williams
Mr. Crolius	Mr. Johnson	

20

## FOR THE NEGATIVE.

Mr. Schoonmaker	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill entitled, "An act to repeal sections two and three of 'An act in relation to the Oswego canal,' passed April 5, 1849," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Upham
Mr. Colt	Mr. Mann	Mr. Williams
Mr. Cook		

19

## FOR THE NEGATIVE.

Mr. Carroll	Mr. Curtis	Mr. Stone
Mr. Crook	Mr. Noyes	

6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then took a recess until 4 o'clock p. m.

4 O'CLOCK P. M.

The Senate again met.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 4, 1850. }*

*To the Senate:*

I have this day approved and signed the following bills :

"An act to incorporate the Hudson city savings institution."

"An act to revise and amend the several acts relating to the city of Brooklyn."

"An act to reorganize and regulate the common schools and the board of education in the city of Brooklyn."

HAMILTON FISH.

A message from the Governor was received and read, in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 5, 1850. }*

*To the Senate:*

I respectfully return to the Senate, (in which it originated,) a bill entitled "An act to incorporate the Barryville and Shehola Delaware Bridge Company."

This bill is liable to the same objections of want of power on the part of the Legislature to create by a special act, a corporation for the objects proposed, which I had the honor to submit the Senate on the first day of April instant, when I returned the bill to extend the charter of the Schoharie Central Bridge Company.

It proposes to create a corporation for the purpose of erecting a bridge across the Delaware river, after that the Legislature has enacted a general law for the incorporation of bridge companies.

The fact that the stream over which the proposed bridge is to be constructed, is the dividing line between this and an adjoining State, may possibly exhibit a necessity for some modification of the general law now in force, for the incorporating of bridge companies. But it cannot have effect to relax the prohibition which the constitution has imposed upon the power of the Legislature to create corporations by special acts, for objects which can be attained under general laws.

A charter granted by special act of the Legislature of this State, would not authorise the corporation thereby created, to construct its bridge within the jurisdiction of the State of Pennsylvania, without authority from that State. It would only confer corporate existence and powers, together with such rights as the wisdom of the Legislature might think fit to grant, over so much of the stream as lies within the limits of our own State.

The same corporate existence and powers may be obtained under the general law.

In returning this bill without my signature, I beg leave to repeat what I suggested in a recent message to the Senate, returning with objections, the bill to extend the charter of the Schoharie Central Bridge Company. That so long as a general law exists, authorising the formation of corporations for specific objects, I must consider the constitutional prohibition against the power of the Legislature to grant special charters to companies for the same objects, as wholly operative and conclusive, against the power to grant such special charter.

In the absence however, of a general law authorising the formation of corporations for specific objects, a proper respect for the wisdom and discretion of the coordinate branches of the government, will compel me to presume that the Legislature has not attempted the exercise of a prohibited power, but has carefully considered the objects proposed, and has, by the passage of the special act, determined that it is a case "where in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws," even though, in my own judgment, such objects might be attained under general laws.

The section of the constitution restraining the power of granting special charters submits the decision of the question whether the objects of the corporation can or cannot be attained under general laws, to the judgment of the legislature; not of the executive.

In case of difference of opinion, I shall therefore feel bound to defer my own, to the judgment of the Senate and Assembly, whom the constitution makes the arbiter on the question. I know of no other rule of action in such cases that will prevent collision between the separate branches of the government, or that will avoid an undue assumption on the part of the executive, over the free exercise of the legislative judgment.

I may be permitted to add that at the close of the last session of the legislature, in the extreme pressure incident to the last hours previous to the adjournment (into which unfortunately so much of the business of the whole session is apt to be crowded, that but little opportunity is afforded the executive for even a cursory examination of the bills presented for his signature) I did inadvertently give my approval to a bill for the incorporation of a company, from which I should undoubtedly have withheld it, had the object of the bill attracted my attention.

I refer to this for the purpose of showing the necessity during the remaining days of this session of a most careful consideration by

the legislature, of the various bills that may be presented for its final action, and for the purpose of suggesting that while I shall endeavor to exercise the most exact vigilance to prevent the enactment of laws which may infringe any of the provisions of the constitution, the very brief time allowed to the executive, toward the close of the session, for the examination of bills and the consequent hasty investigation upon which he is compelled to act, necessarily subject him to the liability of mistake.

The extent of this liability may be appreciated by a reference to the fact that during the last five days of the sitting of the last legislature there were presented to me no less than two hundred and one bills extending over three hundred and fifty three pages of the session laws.

The bills presented for executive approval have previously occupied the attention of the Senate and Assembly with the advantages of deliberate discussion and debate, and are by them held under consideration so long as doubts are entertained with regard to their propriety. But the large number of bills presented to the executive toward the close of the session, are to be acted upon by him, if at all, within a very few days, and without the benefit of the suggestion of doubts, or of difficulties, by other minds.

I therefore earnestly appeal to the legislature for the exercise of its utmost vigilance over the bills proposed for its action during the remaining days of the session, assuring them at the same time of my determination to discharge to the best of my ability, my full share of the responsibility and of the duties connected with the enactment of laws which belong to my office.

HAMILTON FISH.

The question being on agreeing to the said bill notwithstanding the objections of the Governor,

Mr. Babcock moved that said bill be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the city of Buffalo to subscribe to the capital stock of the Buffalo Water Works Company," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Babcock and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Owen

Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Guinnip	Mr. Schoonmaker
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Mann moved that the bill from the Assembly, entitled "An act for the relief of certain purchasers of lands in the Oneida reservation, in the year 1840 and 1841, and subsequent thereto," be referred to the committee on finance, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Schoonmaker,

*Resolved*, That the Senate go into executive session to-morrow, Saturday, at 12 o'clock.

The bill from the Assembly entitled, "An act to amend an act to incorporate the Herkimer county Insurance Company," passed April 28, 1836, was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Mann
Mr. Beekman	Mr. Curtis	Mr. Miller
Mr. Brown	Mr. Dart	Mr. Morgan
Mr. Colt	Mr. Dimmick	Mr. Noyes
Mr. Cook	Mr. Fox	Mr. Owen
Mr. Crolius	Mr. Geddes	Mr. Stanton
Mr. Crook	Mr. Guinnip	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act to incorporate the American Female Guardian Society," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Colt	Mr. Fox	Mr. Owen
Mr. Cook	Mr. Geddes	Mr. Robinson



Mr. Crolius	Mr. Guinnip	Mr. Stanton	
Mr. Crook	Mr. Mann	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly, entitled "An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Williamsburgh,' passed April 23, 1844," was read a third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller	
Mr. Beekman	Mr. Curtis	Mr. Morgan	
Mr. Brown	Mr. Dart	Mr. Noyes	
Mr. Colt	Mr. Fox	Mr. Owen	
Mr. Cook	Mr. Geddes	Mr. Robinson	
Mr. Crolius	Mr. Guinnip	Mr. Stanton	
Mr. Crook	Mr. Mann	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to certain duties of the commissioners of loans in the county of Fulton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Miller	
Mr. Beekman	Mr. Dimmick	Mr. Morgan	
Mr. Colt	Mr. Fox	Mr. Noyes	
Mr. Cook	Mr. Geddes	Mr. Owen	
Mr. Crolius	Mr. Guinnip	Mr. Robinson	
Mr. Crook	Mr. Johnson	Mr. Stanton	
Mr. Cross	Mr. Mann	Mr. Williams	
Mr. Curtis			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to the court of sessions, in and for the county of Washington," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Noyes

Mr. Colt	Mr. Fox	Mr. Owen
Mr. Cook	Mr. Geddes	Mr. Robinson
Mr. Crolius	Mr. Guinnip	Mr. Schoonmaker
Mr. Crook	Mr. Mann	Mr. Stanton
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis		

22

*Ordered,* That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the Female Academy of the Sacred Heart, in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Morgan
Mr. Brown	Mr. Fox	Mr. Noyes
Mr. Colt	Mr. Geddes	Mr. Owen
Mr. Crolius	Mr. Guinnip	Mr. Robinson
Mr. Crook	Mr. Johnson	Mr. Stanton
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Dart		

19

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act relative to the location of the Lockport and Warren's corners plank road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Johnson
Mr. Brandreth	Mr. Curtis	Mr. Morgan
Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Colt	Mr. Dimmick	Mr. Owen
Mr. Cook	Mr. Fox	Mr. Robinson
Mr. Crolius	Mr. Geddes	Mr. Stanton
Mr. Crook	Mr. Guinnip	Mr. Williams

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to settle the account of Christopher Adams, late superintendent of repairs of the Erie and Champlain canals, for monies deposited by him in the Canal Bank of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof

and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Noyes
Mr. Brown	Mr. Dimmick	Mr. Owen
Mr. Colt	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Guinnip	Mr. Williams
Mr. Crook	Mr. Johnson	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the relief of the President, directors, and company of the Fourth Great Western Turnpike Road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Miller
Mr. Brandreth	Mr. Dart	Mr. Morgan
Mr. Brown	Mr. Dimmick	Mr. Noyes
Mr. Colt	Mr. Fox	Mr. Owen
Mr. Cook	Mr. Geddes	Mr. Robinson
Mr. Crolius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the prices of wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany."

A bill was received from the Assembly for concurrence entitled, "An act for the improvement of the navigation of the Seneca river at Baldwinsville in the county of Onondaga."

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the United States mail steam ship company."

A bill was received from the Assembly for concurrence entitled, "An act to divide the twelfth ward of the city of New-York into two wards."

A bill was received from the Assembly for concurrence entitled, "An act to alter the commissioner's map of the city of Brooklyn."

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Bigham, Stewart & Co., and final settlement of their accounts as contractors on section No. 14 of the Erie canal enlargement."

A bill was received from the Assembly for concurrence entitled, "An act to amend the act passed April 24, 1837 entitled, 'An act to incorporate the village of Black Rock,' and the several acts amendatory thereof."

A bill was received from the Assembly for concurrence entitled, "An act in relation to the court of appeals and for the relief of certain suitors."

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the New-York juvenile asylum."

A bill was received from the Assembly for concurrence entitled, "An act to provide for the abandonment of the old canal in the village of Geddes in the county of Onondaga and for the payment of damages in consequence thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Geddes,

*Ordered*, That said bill be referred to the committee on canals to report complete.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the inhabitants of the town of Southport in the county of Chemung," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Guinnip,

*Ordered*, That said bill be referred to the committee on roads and bridges to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to revive an act entitled, 'An act to authorise the laying out and building a road from Morehouse to Salisbury,' passed April 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to vest certain powers in the recorder of the city of Hudson,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Elihu C. Wright," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to provide for a final distribution of the funds held by the comptroller belonging to the creditors of insolvent banks and bankers," which was read the first time, and by unanimous consent was also

read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise a tax in the city of Troy for the payment of the debts of the Schenectady and Troy railroad company," which was read the first time, and by unanimous consent was also read, the second time, and referred to the committee on the incorporation of cities and villages to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain lands of which John Jackson died possessed to Jemima Jackson his wife," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to cede jurisdiction to the United States over certain lands in the city of Buffalo and the town of Black Rock in the county of Erie, for the purpose of a canal or channel and the construction of piers, a light house and sea wall," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Babcock,

*Ordered*, That said bill be referred to the committee on the judiciary to report complete.

A bill was received from the Assembly for concurrence entitled, "An act relative to the payment of wages to minors," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill from the Assembly entitled, "An act to authorise Henry Brother to maintain a dam across the Conhocton river," was read the third time and passed, a majority of all the members elected to the Senate voing in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Johnson
Mr. Beekman	Mr. Crook	Mr. Morgan
Mr. Brandreth	Mr. Cross	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Guinnip	

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act entitled, 'An act to incorporate West Troy and for other purposes,'" was read the third

time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Guinnip	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the several acts incorporating the village of Elmira in the county of Chemung," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Brown	Mr. Guinnip	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dimmick	Mr. Owen	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Noyes
Mr. Beach	Mr. Fox	Mr. Owen
Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Brown	Mr. Johnson	Mr. Schoonmaker

Mr. Crolius	Mr. Mann	Mr. Skinner	
Mr. Crook	Mr. Miller	Mr. Stone	
Mr. Cross	Mr. Morgan	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend and consolidate the several acts relating to the city of Rochester," having been amended by unanimous consent, was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Morgan	
Mr. Beekman	Mr. Dimmick	Mr. Robinson	
Mr. Brown	Mr. Fox	Mr. Schoonmaker	
Mr. Cook	Mr. Geddes	Mr. Snyder	
Mr. Crolius	Mr. Guinnip	Mr. Stone	
Mr. Crook	Mr. Mann	Mr. Upham	
Mr. Cross	Mr. Miller	Mr. Williams	
Mr. Curtis			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act in relation to the fees of sheriffs in certain cases and to the return by them of executions by mail," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan	
Mr. Beekman	Mr. Dart	Mr. Schoonmaker	
Mr. Brown	Mr. Dimmick	Mr. Snyder	
Mr. Cook	Mr. Geddes	Mr. Stone	
Mr. Crolius	Mr. Guinnip	Mr. Upham	
Mr. Crook	Mr. Miller	Mr. Williams	
Mr. Cross			19

## FOR THE NEGATIVE.

Mr. Mann	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise Edward Hubbard of the town of Cornwall, and Christopher B. Miller and Thomas J. De Lancey of the town of New Windsor, to establish and continue a ferry across the Hudson river from the town of Cornwall in the county of Orange, to Cold Spring in the county of Putnam," was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Mann	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the Odd Fellows hall association of the city of Buffalo," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Schoonmaker introduced the bill entitled, "An act to authorise the Union plank road company of the town of Kingston to establish gates and regulate tolls upon their road," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Schoonmaker,

*Ordered*, That the said bill be engrossed for a third reading.

The bill from the Assembly entitled, "An act for the relief of Jacob C. Anthony and Robert Fero," was read the third time and



passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise Henry Van Rensselaer of Ogdensburgh to erect a dam across the St. Lawrence in the town of Lisbon, county of St. Lawrence," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which James Fox died seized to Michael Fox and his assigns," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and two-thirds of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Robinson

Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth.	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the erection of a city hall in the city of Utica," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Cook	Mr. Fox	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Erie Canal Enlargement," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Genesee Valley Canal," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Black River Canal," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Elias Stilwell," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham from the committee on canals, to which was refer-

red the bill from the Assembly, entitled "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly, entitled "An act to provide for the abandonment of the old canal in the village of Geddes, in the county of Onondaga, and for the payment of damages in consequence thereof," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Johnson, from the committee on claims, to which was referred a bill from the Assembly entitled, "An act to pay William H. C. Hosmer, for attending as a witness in behalf of the State, on the trial of Alexander McLeod," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly, entitled "An act to pay Lewis W. Becker, for attending as a witness in behalf of the State, on the trial of Alexander McLeod," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to authorise a tax in the city of Troy, for the payment of the debts of the Schenectady and Troy Railroad Company," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller moved that the bill entitled "An act to repeal certain disqualifications of judges and justices of the courts of general sessions," be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act for the relief of certain purchasers of lands in the Oneida reservation in 1840, and 1841, and subsequent thereto," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Schoonmaker moved the Senate reconsider the vote on agreeing to the report of said committee.

Mr. Schoonmaker moved said motion be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the negative.

The bill from the Assembly entitled, "An act to create the office of city judge of the city and county of New-York," was read the third time and passed, a majority of all the members elected

to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to cede jurisdiction to the United States over certain lands in the city of Buffalo, and the town of Black Rock, in the county of Erie, for the purpose of a canal or channel, and the construction of piers, a lighthouse and sea wall," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to repeal an act appointing commissioners to lay out a road from Palatine Bridge, in Montgomery county, through Palatine, Ephrata, Pleasant Valley, and Garoga, to the lands belonging to the State in Fulton county, passed December 10, 1847," reported in favor of the passage of the same.

On motion of Mr. Fox,

*Ordered*, That said bill be referred to the committee on roads and bridges to report complete.

The bill from the Assembly, entitled "An act to pay William H. C. Hosmer, for attending as a witness in behalf of the State, on the trial of Alexander McLeod," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker	
Mr. Beekman	Mr. Fox	Mr. Skinner	
Mr. Brandreth	Mr. Geddes	Mr. Stanton	
Mr. Crolius	Mr. Johnson	Mr. Stone	
Mr. Cross	Mr. Noyes	Mr. Upham	
Mr. Curtis	Mr. Robinson	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Cook	Mr. Crook	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Schoonmaker,  
The Senate then adjourned until ten o'clock to-morrow morning.

## SATURDAY, APRIL 6, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The journal of yesterday was read and approved.

Mr. Cook from the select committee of eight reported as proper to be referred to select committees to report complete, the following entitled bills:

"An act to authorise the comptroller to release certain lands in the town of Ghent to Edward L. Coburn," to Messrs. Snyder, Cross and Mann.

"An act relating to the compensation of Brigade inspectors in the city of New-York," to Messrs. Crolius, Guinnip and Tuttle.

"An act to provide for proving the field notes and other papers therein mentioned," to Messrs. Babcock, Upham and Tuttle.

"An act to further amend the act to incorporate the Buffalo and Hamburg turnpike company, passed January 23, 1830," to Messrs. Babcock, Upham and Williams.

"An act to authorise the sale of certain out blocks in the city of Oswego," to Messrs. Mann, Stone and Babcock.

"An act to change the name of Elizabeth Jackson Langdon to that of Elizabeth Langdon Jackson," to Messrs. Stanton Cross and Fox.

"An act for the relief of Patrick Higgins," to Messrs. Babcock, Colt and Robinson.

"An act to amend an act to combine into one act the several acts relating to the city of Albany," to Messrs. Johnson, Tuttle and Schoonmaker.

"An act to incorporate the Emigrant Industrial savings bank," to Messrs. Cook, Crook and Johnson.

"An act for the licensing and government of the pilots of the port of New-York by the way of Sandy Hook.

Mr. Williams moved to amend the report of the committee by striking out the last mentioned bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

Mr. Dimmick, from the select committee, to which was referred the bill entitled, "An act prescribing the powers and duties of the State engineer and surveyor and of the engineers employed on the public works," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Beach, from the select committee to which was referred the bill entitled, "An act to change the name of Oliver P. Buck to Oliver P. Wethey," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to authorise the canal board to hear and determine the claims of William H. Williams," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Schoonmaker, from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to provide for the equitable settlement of the claims of Stiles Johnson, and Norman Butler on their canal contract," reported adverse to the passage of the same, which was committed to the committee of the whole.

(See Doc. No. 109.)

Mr. Mann moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Schoonmaker from a minority of the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of John Lafoy and Joshua W. Clemons," reported adverse to the passage of the same.

Mr. Schoonmaker moved that said bill be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of Aaron Barnes and John E. Hinman," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of Charles B. Carpenter," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly entitled, "An act authorising the investigation and settlement of the claim of Norman Northrop for canal damages," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly entitled, "An act to provide for the settlement of the claims of Davidson Moshier," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief of Joseph B. Arnold," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that they do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief of the legal representatives of Mrs. Maria Miller," reported adverse to the passage of the same.

Mr. Mann moved said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief of William Sherman and Uriah Sherman," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Johnson, from the committee on claims, to which was referred the bill entitled "An act for the relief of Platt Williams," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to grant the heirs of James Lumbard the right of the people of this State, to the property of Amasa Kelson," reported in favor of the passage of the same with amendments, and the title amended to read "An act to grant the right of the people of this State to the property of Amasa Kelson deceased, in aid of the orphan asylum society of the city of Utica, and the association for the benefit of colored orphans in the city of New-York."

On motion of Mr. Stanton,

*Ordered*, That the said bill be referred to the committee on charitable and religious societies to report complete.

Mr. Stanton from the same committee, reported the said bill complete, without amendment, and the said bill was ordered engrossed for a third reading.

Mr. Miller, from the committee on roads and bridges, to which referred the bill from the Assembly entitled, "An act for the relief of the inhabitants of the town of Southport, in the county of Chemung," reported the said bill to the Senate, with the enacting clause stricken out.

Mr. Guinnip moved to amend the report of the committee, by restoring the enacting clause of the said bill.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur in the passage of said bill.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to change the name of the Hope Chapel Baptist Church and congregation of the city of New-York, to the Broadway Baptist Church," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for the holding of courts of sessions without the attendance of a grand jury, in the county of Jefferson," reported in favor of the passage of the same.

On motion of Mr. Skinner,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to provide for holding the courts of sessions without a jury in the county of



Franklin," reported in favor of the passage of the same without amendment.

On motion of Mr. Dimmick,

*Ordered*, That said bill do have its third reading.

Mr. Snyder from the select committee, to which was referred the bill from the Assembly entitled, "An act to authorise the comptroller to release certain lands in the town of Ghent, to Edward L. Coburn," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Brown, from the select committee to which was referred the bill from the Assembly entitled, "An act to amend an act, entitled, 'An act to incorporate the Gravesend and Coney Island Bridge and Road Company,' passed March 22, 1833," reported and asked to be discharged from the further consideration of said bills, and that they be referred to the committee on the judiciary, to report complete.

The President then put the question whether the Senate would agree to the report of the select committee, and it was decided in the affirmative.

Mr. Stone, from the select committee, to which was referred the bill from the Assembly entitled, "An act in relation to a draw in a bridge at Oak Orchard, over Oneida river," reported and asked leave to be discharged from the further consideration of the said bill, and that the same be referred to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Robinson from the select committee, to which was referred the bill entitled "An act to incorporate Rich's Institute for physical training in the city of New-York," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to provide for a final distribution of the funds held by the comptroller belonging to the creditors of insolvent banks and bankers," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Carroll, from the select committee to which was referred the bill from the Assembly entitled, "An act in relation to free schools in the city of Troy," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Stone, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled 'An act in settlement of the claims of the first Christian party of Oneida Indians,' passed April 9, 1849," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to incorporate

the Poughkeepsie Female Collegiate Institute in the village of Poughkeepsie," reported adverse to the passage of the same.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur in the passage of said bill.

Mr. Mann, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe the fees for certain services,' passed April 3, 1849, so far as the same relates to the county of Monroe," reported the same complete with amendments, and the title amended to read, "An act to vest in boards of supervisors power to license ferries, and to direct the expenditure of money raised by tax for highway labor, on non-resident lands," which report was agreed to, and the said bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to lessen the severity of criminal punishment," reported the same complete without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill from the Assembly entitled, "An act to provide for proving field notes and other papers therein mentioned," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Miller from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to repeal an act appointing commissioners to lay out a road from Palatine Bridge, in Montgomery county, through Palatine, Ephrata, Pleasant Valley and Garoga, to the lands belonging to the State, in Fulton county, passed December 10, 1847," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Carroll, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to change the name of Oliver P. Buck, to Oliver P. Wethey."

"An act in relation to the Deerfield McAdam Road."

"An act to amend the charter of the village of Ogdensburgh."

"An act to authorise the cemetery of Evergreens to hold real estate in the county of Queens."

"An act to incorporate the New-York and Virginia Steamship Company."

"An act in relation to interments in the city of Brooklyn."

*Ordered*, That said bills do have their third reading.

"An act to authorise the Union Plank Road Company, of the town of Kingston, to establish gates, and regulate tolls upon their road."

Mr. Colt, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act in relation to the canal debt falling due on the first day of January and the first day of

April 1851," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Farmers Mutual insurance company of Erie county,'" passed May 14, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Curtis	Mr. Schoonmaker
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Geddes	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to change the name of Oliver P. Buck to Oliver P. Wethey," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Robinson
Mr. Beach	Mr. Crook	Mr. Skinner
Mr. Beekman	Mr. Cross	Mr. Snyder
Mr. Brandreth	Mr. Curtis	Mr. Stanton
Mr. Brown	Mr. Dimmick	Mr. Stone
Mr. Carroll	Mr. Fox	Mr. Tuttle
Mr. Colt	Mr. Geddes	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to legalize the acts of William McCracken in the conveyance of real estate," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and two-thirds of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Robinson
Mr. Beach	Mr. Cross	Mr. Skinner
Mr. Beekman	Mr. Curtis	Mr. Snyder

Mr. Brandreth	Mr. Dimmick	Mr. Stanton
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Carroll	Mr. Geddes	Mr. Tuttle
Mr. Colt	Mr. Guinnip	Mr. Upham
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Crolius	Mr. Miller	

26

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the Monroe county savings bank," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to authorise the Union plank road company of the town of Kingston to establish gates and regulate tolls upon their road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Snyder
Mr. Brandreth	Mr. Dimmick	Mr. Stanton
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the cemetery of the Evergreens to hold real estate in the county of Queens," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Snyder
Mr. Brandreth	Mr. Dimmick	Mr. Stanton
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Geddes	Mr. Tuttle
Mr. Cook	Mr. Guinnip	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Robinson	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A quorum of members not being in attendance,

Mr. Cross moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

And after some time spent therein, Mr. Guinnip moved that further proceedings under the call be suspended.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to repeal 'An act appointing commissioners to lay out a road from Palatine bridge, in Montgomery county through Palatine, Ephrata, Pleasant Valley and Garoga, to the lands belonging to the State in Fulton county,' passed December 10, 1847," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Guinnip	Mr. Snyder
Mr. Beekman	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Dimmick	Mr. Schoonmaker	Mr. Williams
Mr. Geddes	Mr. Skinner	

17

## FOR THE NEGATIVE.

Mr. Brandreth	Mr. Crolius
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to amend the charter of the village of Ogdensburg," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Owen	

29

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the New-York and Virginia steam ship company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Beekman	Mr. Curtis	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Owen	Mr. Williams
Mr. Crook	Mr. Robinson	

23

## FOR THE NEGATIVE.

Mr. Mann                      ,      Mr. Stone

1

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to the Deerfield McAdam road," having been amended by unanimous consent, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams
Mr. Curtis		

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to pay Lewis W. Beecher for attending as a witness in behalf of the State on the trial of Alexander McLeod," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Curtis	Mr. Robinson	Mr. Williams
Mr. Dimmick	Mr. Schoonmaker	

23

FOR THE NEGATIVE.

Mr. Crook	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to incorporate the Oswego Dry Dock and Marine railway company."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross	Mr. Robinson	

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Cook gave notice that he would move to suspend each and every joint and standing rule of the Senate.

The Assembly returned the bill entitled, "An act for the relief of captain Titus Felix Gazinski late of the first regiment of New-York volunteers," with a message informing that they have concurred in the amendments of the Senate to said bill with the following amendments: strike out from the first section the words "or his legal representatives."

The President put the question whether the Senate would concur in the amendment of the Assembly to said bill, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Beach	Mr. Dart	Mr. Skinner
Mr. Beekman	Mr. Dimmick	Mr. Snyder
Mr. Brandreth	Mr. Fox	Mr. Stanton
Mr. Brown	Mr. Geddes	Mr. Stone
Mr. Colt	Mr. Guinnip	Mr. Upham
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Crolus	Mr. Mann	

23

#### FOR THE NEGATIVE.

Mr. Cross

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act authorising the building of bridges over the Erie and Oswego canals, in the city of Syracuse."

*Ordered*, That said bill be returned to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to exempt from sale on execution, the home of a householder having a family," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Shelter Island Ferry Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Miniseongo Ferry Company, in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.



A bill was received from the Assembly for concurrence entitled, "An act to confirm the official acts of Wyllys Cady, as commissioner of highways of Pittsfield, Otsego county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the board of supervisors of the county of St. Lawrence, to make all regulations of ferries in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the savings bank of Oswego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Holland's Hook, and Elizabethtown Point Ferry Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

The Assembly sent for concurrence, a resolution in the words following, to wit :

*Resolved*, (if the Senate concur,) That this Legislature will adjourn on Wednesday, the 10th day of April next, (now inst.,) at 12 o'clock, m.

Mr. Cook moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to enable the Presbyterian congregation of Freehold, to purchase or erect a parsonage house."

Said amendments having been read,

The President put the question whether the Senate would concur in the said amendments of the Assembly, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the relief of the Rensselaer and Columbia turnpike road."

Said amendments having been read,

The President then put the question whether the Senate would agree to the amendments of the Assembly, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Beach	Mr. Geddes	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill with additional amendments.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills :

"An act to amend the act entitled, 'An act authorising the comp-troller to receive the returns of certain unpaid taxes in the county of Wyoming.'"

"An act requiring the supervisors of the several towns to take further security from the town superintendents of common schools whenever it is necessary for the safety of the public money."

"An act authorising the canal commissioners to build a bridge across the Erie canal at Genesee street in the city of Buffalo."

"An act to provide for an equitable settlement of accounts between the State treasury and the city and county of New-York."

"An act in relation to the publication of notices previous to the conveyance of land sold for taxes."

"An act to extend the time for the collection of taxes in the city of Syracuse."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they concurred in the amendments of the Senate to the bill entitled, "An act to prohibit corporations from interposing the defence of usury in any case."

*Ordered*, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act in relation to interments in the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal certain disqualifications of judges and justices of the courts of general sessions," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Guinnip	Mr. Stanton
Mr. Beekman	Mr. Johnson	Mr. Stone
Mr. Brown	Mr. Miller	Mr. Tuttle
Mr. Colt	Mr. Owen	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Cross	Mr. Skinner	

17

## FOR THE NEGATIVE.

Mr. Carroll	Mr. Crook	Mr. Fox
Mr. Cook		

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to improve the quality of the salt manufactured in the county of Onondaga and to protect the purchasers of the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Henry P. Voorhees," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Owen	

23

## FOR THE NEGATIVE.

Mr. Beach	Mr. Morgan	Mr. Williams
Mr. Colt		

4

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Elias Stillwell," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Beach	Mr. Colt	Mr. Miller
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act authorising Electa Bradley and her children to change their names," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Miller
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brown	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Tuttle
Mr. Crolius	Mr. Guinnip	Mr. Upham
Mr. Crook	Mr. Johnson	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the several acts relating to the village of Medina," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis	Mr. Owen	

23

*Ordered*, That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act authorising the board of supervisors of the county of Wayne to audit and allow the account of John C. Banister," was read the third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Robinson
Mr. Carroll	Mr. Dart	Mr. Skinner
Mr. Colt	Mr. Dimmick	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Tuttle
Mr. Crolius	Mr. Guinnip	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams.
Mr. Cross	Mr. Owen	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Miller moved that the bill from the Assembly entitled, "An act authorising the canal commissioners to take for the use of the state, a bridge in the fourth ward of the city of Rochester," be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Owen moved that the Senate reconsider its vote on the final passage of the bill entitled, "An act to provide for the settlement and payment of the claim of Oscar Granger and Walter S. Todd."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Curtis,

The Senate proceeded to the consideration of the bill entitled, "An act to provide for the appraisal and payment of canal damages to Mathew Sayer," the question being on the reconsideration of the vote on the final passage of the same,

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the negative.

The bill from the Assembly entitled, "An act in relation to the assistants appointed by the surrogate of the city and county of New-York," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

By unanimous consent,

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Owen
Mr. Brown	Mr. Dimmick	Mr. Ranton
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Crolius	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams
Mr. Curtis		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Johnson introduced a bill entitled "An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Johnson,

*Ordered*, That the said bill be engrossed for a third reading.

Mr. Cook offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Senate will this day take a recess at 2 o'clock, and again meet at 4 o'clock P. M.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The bill entitled "An act to authorise the transportation of live stock and fresh meat on railroads, free from canal tolls," being upon its third reading,

Mr. Cook moved that said bill be re-committed to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met.

Mr. Colt, from the committee on finance, to which was referred the bill entitled, "An act to authorise the transportation of live stock and fresh meat on railroads, free from canal tolls," reported the same complete with amendments and the title amended so as to read "An act to authorise the transportation of live stock on railroads, free from canal tolls."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Carroll  
Mr. Colt

Mr. Dimmick  
Mr. Fox  
Mr. Geddes

Mr. Owen  
Mr. Robinson  
Mr. Skinner

Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Dart

Mr. Johnson  
Mr. Mann  
Mr. Morgan

Mr. Stanton  
Mr. Upham  
Mr. Williams

18

## FOR THE NEGATIVE.

Mr. Schoonmaker

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crook moved that the Senate reconsider its vote on the final passage of the bill from the Assembly, entitled "An act to pay William H. C. Hosmer, for attending as a witness in behalf of the State, on the trial of Alexander McLeod."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Crook moved that the Senate reconsider its vote on the final passage of the bill from the Assembly, entitled "An act to pay Lewis W. Beecher, for attending as a witness in behalf of the State, on the trial of Alexander McLeod."

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to pay William H. C. Hosmer, for attending in behalf of the State, as a witness on the trial of Alexander McLeod," was read a third time and lost, a majority of all the members elected to the Senate voting against the passage of said bill, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman

Mr. Colt

Mr. Miller

3

## FOR THE NEGATIVE.

Mr. Carroll

Mr. Dart

Mr. Owen

Mr. Cook

Mr. Dimmick

Mr. Robinson

Mr. Crolius

Mr. Fox

Mr. Skinner

Mr. Crook

Mr. Geddes

Mr. Tuttle

Mr. Cross

Mr. Johnson

Mr. Upham

Mr. Curtis

Mr. Mann

Mr. Williams

18

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate do non-concur therein.

The bill from the Assembly entitled, "An act to pay Lewis W. Beecher for attending as witness on the part of the State on the trial of Alexander McLeod," was read the third time and lost a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Colt

Mr. Schoonmaker

2



## FOR THE NEGATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dart		

19

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur in the passage of said bill.

The bill from the Assembly entitled, "An act relating the compensation of brigade inspectors in the city and county of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dart		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the charter of the village of Rome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Owen	Mr. Williams
Mr. Dart		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to provide for the abandonment of the old canal in the village of Geddes, in the county of Onondaga and for the payment of damages in consequence thereof," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth.	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

24

- *Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act prescribing the powers and duties of the State engineer and surveyor, and of the engineers employed on the public works," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Brandreth	Mr. Mann	Mr. Snyder
Mr. Carroll	Mr. Miller	Mr. Stanton
Mr. Colt	Mr. Morgan	Mr. Stone
Mr. Cook	Mr. Noyes	Mr. Tuttle
Mr. Crolius	Mr. Owen	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams
Mr. Cross		

25

## FOR THE NEGATIVE.

Mr. Johnson

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the construction of a canal bridge near Shelby basin in the county of

Orleans," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beckman	Mr. Dart	Mr. Owen
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Goddes	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the holding of courts of sessions without a jury in the county of Franklin," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beckman	Mr. Mann	Mr. Skinner
Mr. Carroll	Mr. Miller	Mr. Snyder
Mr. Colt	Mr. Morgan	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Stone
Mr. Crook	Mr. Owen	Mr. Tuttle
Mr. Cross	Mr. Robinson	Mr. Upham
Mr. Dimmick	Mr. Schoonmaker	Mr. Williams
Mr. Fox		

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorize the comptroller to release certain lands in the town of Ghent to Edward L. Coburn," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beckman	Mr. Cross	Mr. Schoonmaker
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone

Mr. Cook	Mr. Morgan	Mr. Tuttle	
Mr. Crolius	Mr. Owen	Mr. Upham	
Mr. Crook	Mr. Robinson	Mr. Williams	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise the comptroller to loan money to the county of Jefferson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Schoonmaker	
Mr. Brandreth	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Mann	Mr. Stanton	
Mr. Cook	Mr. Miller	Mr. Tuttle	
Mr. Crolius	Mr. Morgan	Mr. Upham	
Mr. Crook	Mr. Owen	Mr. Williams	
Mr. Cross	Mr. Robinson		28

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the holding of courts of sessions without the attendance of a jury in the county of Jefferson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Skinner	
Mr. Carroll	Mr. Mann	Mr. Snyder	
Mr. Colt	Mr. Miller	Mr. Stanton	
Mr. Crolius	Mr. Noyes	Mr. Stone	
Mr. Crook	Mr. Owen	Mr. Tuttle	
Mr. Cross	Mr. Robinson	Mr. Upham	
Mr. Guinnip	Mr. Schoonmaker	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the Pacific mail steam ship company,' passed April 12, 1848," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Crolins	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dimmick		

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to change the name of the Hope chapel Baptist church and congregation of the city of New-York to the Broadway Baptist church," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Morgan	Mr. Tuttle
Mr. Crolins	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross	Mr. Robinson	

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Fox moved that the order of business of third reading of bills be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act for the relief of certain purchasers of land in the Oneida reservation in 1840, 1841 and subsequent thereto," was read the third time and passed, all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Skinner
Mr. Brandreth	Mr. Mann	Mr. Snyder
Mr. Colt	Mr. Morgan	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Fox	Mr. Robinson	Mr. Williams
Mr. Guinnip		

20

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Upham
Mr. Cook	Mr. Cross	

5

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

Mr. Miller, from the select committee, to which was referred the bill entitled, "An act to amend the act to authorise the establishment of the House of Refuge for delinquents in western New-York passed May 8, 1846," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill from the Assembly entitled, "An act in relation to the canal debt falling due on the first day of January and the first day of April 1851," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Snyder

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dimmick		

19

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

26

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to change the name of the Hope chapel Baptist church and congregation of the city of New-York to the Broadway Baptist church," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross	Mr. Robinson	

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Fox moved that the order of business of third reading of bills be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act for the relief of certain purchasers of land in the Oneida reservation in 1840, 1841 and subsequent thereto," was read the third time and passed, all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Skinner
Mr. Brandreth	Mr. Mann	Mr. Snyder
Mr. Colt	Mr. Morgan	Mr. Stanton
Mr. Crolius	Mr. Noyes	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Fox	Mr. Robinson	Mr. Williams
Mr. Guinnip		20

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Upham
Mr. Cook	Mr. Cross	5

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

Mr. Miller, from the select committee, to which was referred the bill entitled, "An act to amend the act to authorise the establishment of the House of Refuge for delinquents in western New-York passed May 8, 1846," reported the same complete with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill from the Assembly entitled, "An act in relation to the canal debt falling due on the first day of January and the first day of April 1851," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Snyder



Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

28

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to amend the act entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Brandreth	Mr. Geddes	Mr. Robinson
Mr. Carroll	Mr. Guinnip	Mr. Schoonmaker
Mr. Colt	Mr. Johnson	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Dimmick		

25

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act in relation to the taxes on lands of non-residents and to provide for the sale of lands returned for unpaid taxes in the counties where they were assessed," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Fox	Mr. Skinner
Mr. Beekman	Mr. Johnson	Mr. Snyder
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Curtis	Mr. Robinson	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Sage, Walrath and Dunham," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of William Wiggins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the village of Fulton,' passed April 29, 1835," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to alter the commissioner's map of the city of Brooklyn,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to enable certain commissioners to improve two certain highways running through the Onondaga Indian reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the support of common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The bill entitled "An act to amend an act to authorise the establishment of the House of Refuge for juvenile delinquents, in western New-York, passed May 8, 1846," was read a third time and passed, a majority of all the members elected to the Senate voting in favor the passage of said bill, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Cross	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Owen	Mr. Upham
Mr. Dimmick	Mr. Robinson	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly, entitled "An act for the relief of Ethalinda Deall," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Brandreth	Mr. Fox	Mr. Stanton
Mr. Crolius	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Curtis	Mr. Owen	Mr. Williams
Mr. Dimmick	Mr. Skinner	

17

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to regulate the salary of the district attorney of the county of Rockland, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Noyes	Mr. Tuttle
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Curtis	Mr. Robinson	Mr. Williams
Mr. Dimmick	Mr. Schoonmaker	

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to authorise the canal commissioners to settle with Hubbard Burdick, for work done on the Erie Canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Tuttle

Mr. Crook  
Mr. Cross

Mr. Noyes  
Mr. Owen

Mr. Upham  
Mr. Williams 24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the following bills :

"An act for the relief of certain purchasers of lands in the Oneida reservation in 1840 and 1841, and subsequent thereto."

"An act to authorise Edward Hubbard and Thomas J. Delancy of Cornwall, and Christopher B. Miller of the town of New Windsor to establish and continue a ferry across the Hudson river from the town of Cornwall in the county of Orange to Cold Springs, in the county of Putnam."

"An act to provide for the erection of a city hall in the city of Utica."

"An act to enable trustees receivers and assignees to become petitioning creditors under article third title first, chapter fifth, part second of the Revised Statutes."

"An act for the relief of Captain Felix Titus Gazinski late of the first regiment of New-York volunteers."

"An act to authorise the consolidation of the Tonewanda railroad company and the Athica and Buffalo railroad company into a single corporation, and prescribing the powers of such corporation."

"An act to unite the two railroad companies between Syracuse and Rochester into one company and to provide for the construction of a more direct and level railroad between said cities."

*Ordered*, That said bills be returned to the Assembly.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills :

"An act for the relief of the Rensselaer and Columbia turnpike road."

"An act to amend an act entitled, 'An act to incorporate the Cayuga county Mutual insurance company,' passed March 20, 1837."

"An act to consolidate and amend the several acts relating to the village of Skaneateles."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled, "An act to enable the Presbyterian congregation of Freehold to purchase or erect a parsonage house."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Upham,

The Senate then resolved itself into a committee of the whole on the following bills :

"An act making an appropriation for the Erie canal enlargement."

"An act making an appropriation to the Genessee valley canal."

"An act making an appropriation to the Black river canal."

And after same time spent thereon Mr. Morgan from said committee reported in favor of the passage of said second and third mentioned bills without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan from the same committee, reported in favor of the passage of said first mentioned bill without amendment, which report was agreed to, and said bill ordered to a third reading.

The bill from the Assembly entitled "An act making an appropriation for the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross		

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill from the Assembly entitled, "An act making an appropriation to the Genesee Valley Canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

23

*Ordered,* That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act making an appropriation to the Black River canal," was read the third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Morgan,

The Senate then resolved itself into a committee of the whole on the bill from the Assembly, entitled "An act to regulate the salary of the policemen in the city of New-York," and after some time spent thereon, Mr. Curtis from said committee, reported the bill to the Senate, with the title amended to read, "An act authorizing the common council of the city of New-York, to regulate the salary of the policemen of said city,"

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Johnson, from the select committee, to which was referred the bill from the Assembly entitled, "An act to amend an act to combine into one act, the several acts relating to the city of Albany, passed April 12, 1842," reported the same complete without amendment.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

The Assembly returned the bill entitled, "An act to authorise the city of Buffalo to fund the floating debt of said city, and to amend an act entitled, 'An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843, passed March 29, 1849," with a message requesting the Senate to repass the bill with the title amended to read "An act further to amend 'An act to incorporate the city of Buffalo,' passed April 20, 1832, and the various acts amendatory thereof."

The President then put the question whether the Senate would agree to the amendments of the Assembly, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Robinson

Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Upham
Mr. Cross	Mr. Miller	Mr. Williams 21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Stanton from the select committee, to which was referred the bill from the Assembly entitled, "An act to change the name of Elizabeth Jackson Langdon, to that of Elizabeth Langdon Jackson," reported the same complete without amendment.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

On motion of Mr. Cross,

The Senate then adjourned until 10 o'clock on Monday morning.

## MONDAY, APRIL 8, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Waggoner.

The journal of Saturday was read and approved.

Mr. Miller presented a remonstrance of inhabitants of Irondequoit, against the bill to alter the law in relation to horse racing in said town, which was committed to a committee of the whole.

Mr. Carroll presented two remonstrances of inhabitants of Troy against the bill relating to borrowing money in said city, which was laid on the table.

Mr. Carroll presented the petition of inhabitants of school district No. 2, in the town of Lansingburgh, to be reinstated under the act of Feb. 20, 1838, which was laid on the table.

Mr. Cross presented two petitions of inhabitants of Williamsburgh, for the law authorising the appointment of commissioners of deeds in said village, which was committed to a committee of the whole.

On motion of Mr. Crolius, and by unanimous consent,

*Resolved*, That the bill from the Assembly, entitled "An act to punish frauds from putting up dry goods short measure," be referred to the committee on trade and manufactures, to report complete.

By unanimous consent,

Mr. Schoonmaker introduced a bill entitled "An act to perfect an amendment to the constitution in relation to the office of Governor,"

which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to report complete.

The bill from the Assembly entitled, "An act authorising the canal commissioners to take for the use of the State a bridge in the fourth ward of the city of Rochester," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Morgan	

20

## FOR THE NEGATIVE.

Mr. Schoonmaker

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Noyes
Mr. Beekman	Mr. Geddes	Mr. Owen
Mr. Carroll	Mr. Guinnip	Mr. Robinson
Mr. Cook	Mr. Johnson	Mr. Schoonmaker
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Williams.
Mr. Cross		

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to change the name of Elizabeth Jackson Langdon to Elizabeth Langdon Jackson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beach	Mr. Dimmick	Mr. Noyes
Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for proving certain field notes and other papers therein mentioned," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Beekman	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to amend an act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Skinner
Mr. Crolius	Mr. Johnson	Mr. Snyder
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Upham
Mr. Dart	Mr. Owen	Mr. Williams
Mr. Dimmick		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the eastern Dispensary of the city of New-York,' passed April 25, 1832," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Johnson	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dimmick	Mr. Robinson	20

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to free schools in the city of Troy," the title having been amended to read "An act in relation to free schools in Troy and district No. 10 in the town of Lansingburgh," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Cross		22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill from the Assembly, entitled "An act to incorporate the Thistle benevolent association of the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Owen
Mr. Beekman	Mr. Curtis	Mr. Stanton
Mr. Brandreth	Mr. Fox	Mr. Tuttle
Mr. Cook	Mr. Guinnip	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Noyes	

17

## FOR THE NEGATIVE.

Mr. Geddes	Mr. Mann
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2

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the canal commissioners to abate a nuisance in the village of Spencerport in the county of Monroe," was read the third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Fox	Mr. Owen
Mr. Carroll	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Noyes	Mr. Williams
Mr. Dimmick		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to give the right of the people of this State to the property of Amasa Kelson deceased, in aid of the orphan asylum society of the city of Utica and the association for colored orphans in the city of New-York," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton

Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Curtis		

28

## FOR THE NEGATIVE.

Mr. Geddes	Mr. Noyes	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled "An act further to amend the charter of the Troy savings bank," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Guinnip	Mr. Schoonmaker
Mr. Brandreth	Mr. Johnson	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Cook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Dimmick		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act establishing a ferry across the Hudson river from Howard's wharf or dock at Breakneck in the town of Phillips, in the county of Putnam to the west shore of the Hudson river aforesaid in the town of Cornwall in the county of Orange," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Curtis	Mr. Owen	Mr. Williams
Mr. Dimmick	Mr. Robinson	

23

## FOR THE NEGATIVE.

Mr. Geddes	1
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*Ordered,* That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to cede jurisdiction to the United States, over certain lands in the city of Buffalo, and the town of Black Rock, in the county of Erie, for the purposes of a canal or channel, and the construction of piers, a light-house and sea wall," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Colt	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Curtis		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act, entitled, 'An act in settlement of the claims of the first christian party of Oneida Indians,' passed April 9, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Owen	

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise a tax in the city of Troy, for the payment of the debts of the Schenectady and Troy railroad company," being upon its third reading,

Mr. Carroll moved said bill be re-committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the firemen of the village of Williamsburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Owen
Mr. Brandreth	Mr. Geddes	Mr. Robinson
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Crolius	Mr. Johnson	Mr. Stanton
Mr. Cross	Mr. Mann	Mr. Stone
Mr. Dart	Mr. Miller	Mr. Upham
Mr. Dimmick	Mr. Noyes	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to amend 'An act to alter the commissioners' map of the city of Brooklyn and for other purposes,' passed May 12, 1846," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner

Mr. Brandreth  
Mr. Carroll  
Mr. Colt  
Mr. Crolius  
Mr. Crook  
Mr. Cross

Mr. Fox  
Mr. Guinnip  
Mr. Miller  
Mr. Noyes  
Mr. Owen

Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Upham  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Johnson

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to authorise Charles G. Taylor and Henry A. Taylor to establish and continue a ferry across the Hudson river from Sing Sing to the opposite shore in the county of Rockland," was read a third time and passed, a majority of all the members elected to the Senate voting in favor of the passage of said bill, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brandreth  
Mr. Carroll  
Mr. Colt  
Mr. Crolius  
Mr. Crook  
Mr. Cross  
Mr. Dart

Mr. Dimmick  
Mr. Fox  
Mr. Guinnip  
Mr. Johnson  
Mr. Miller  
Mr. Morgan  
Mr. Noyes

Mr. Robinson  
Mr. Schoonmaker  
Mr. Snyder  
Mr. Stanton  
Mr. Stone  
Mr. Upham  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Geddes

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the village of Lockport,' passed March 26, 1829 and the several acts amendatory thereof passed May 13, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Beekman

Mr. Dimmick  
Mr. Fox

Mr. Schoonmaker  
Mr. Skinner

Mr. Brandreth	Mr. Guinnip	Mr. Snyder	
Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Crolius	Mr. Miller	Mr. Stone	
Mr. Crook	Mr. Noyes	Mr. Upham	
Mr. Cross	Mr. Owen	Mr. Williams	21

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Schoonmaker, from the committee on the judiciary, to which was referred the bill entitled, "An act to perfect an amendment to the constitution in relation to the office of Governor," reported the same complete without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Brandreth introduced a bill entitled, "An act to incorporate the Piermont and West Chester ferry company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Morgan introduced a bill entitled, "An act to authorise the Merchants exchange company to reduce its capital stock," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The bill entitled, "An act to vest in boards of supervisors powers to license ferries and to direct the expenditure of money raised by tax for highway labor on non-resident lands," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson	
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker	
Mr. Colt	Mr. Guinnip	Mr. Skinner	
Mr. Crolius	Mr. Miller	Mr. Stone	
Mr. Cross	Mr. Morgan	Mr. Upham	
Mr. Curtis	Mr. Noyes	Mr. Williams	
Mr. Dimmick	Mr. Owen		20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Stone,

*Resolved*, That the several bills incorporating hospitals be ordered to a third reading.

The bill entitled, "An act to mitigate the severity of criminal punishment," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Miller	Mr. Stone
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Noyes	Mr. Williams
Mr. Dimmick	Mr. Owen	

20

## FOR THE NEGATIVE.

Mr. Cross		1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act reincorporating the village of Little Falls under the name of Rockton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Owen	Mr. Upham
Mr. Dart	Mr. Robinson	Mr. Williams
Mr. Fox	Mr. Schoonmaker	

20

## FOR THE NEGATIVE.

Mr. Beach	Mr. Cook	Mr. Dimmick	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the Oswego hospital," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Guinnip	Mr. Snyder
Mr. Brandreth	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Williams

12

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Curtis	Mr. Mann
Mr. Carroll	Mr. Dart	Mr. Schoonmaker
Mr. Colt	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Upham
Mr. Cross		

16

*Ordered,* That the clerk return said bill to the Assembly, with a message informing that they do non-concur therein.

The bill from the Assembly entitled, "An act to authorise the common council of the city of New-York to regulate the salary of policemen in said city," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Noyes
Mr. Brandreth	Mr. Guinnip	Mr. Owen
Mr. Carroll	Mr. Johnson	Mr. Schoonmaker
Mr. Crolius	Mr. Mann	Mr. Skinner
Mr. Crook	Mr. Miller	Mr. Stanton
Mr. Dart	Mr. Morgan	Mr. Tuttle

18

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Upham
Mr. Colt	Mr. Geddes	Mr. Williams
Mr. Curtis	Mr. Stone	

8

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the firemen of the village of Watertown," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Curtis	Mr. Morgan	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to revive the incorporation of the village of Whitesborough, and to vest further powers in the trustees of said village,' passed February 23, 1821," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Noyes	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act making an appropriation for the support in part of certain hospitals and poor-houses," being upon its third reading,

Mr. Cook moved that said bill be indefinitely postponed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Colt	Mr. Mann	Mr. Skinner
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Curtis	Mr. Owen	Mr. Tuttle
Mr. Dimmick	Mr. Robinson	Mr. Upham
Mr. Geddes	Mr. Schoonmaker	

14

FOR THE NEGATIVE.

Mr. Babcock	Mr. Crook	Mr. Guinnip
Mr. Beekman	Mr. Cross	Mr. Noyes
Mr. Brandreth	Mr. Dart	Mr. Stanton
Mr. Crolius	Mr. Fox	Mr. Williams

12

Mr. Geddes moved that the Senate re-consider its vote on the motion to postpone.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill entitled, "An act to perfect an amendment to the constitution in relation to the office of Governor," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Dart,

The Senate proceeded to the consideration of the bill entitled, "An act to authorise the sale of certain arsenals and other property and to provide for the safe keeping of the arms and other property belonging to the State," and the question being on the motion to reconsider,

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

Mr. Dart moved to recommit said bill to the committee on militia and public defence with instructions to so amend as to authorise the sale of all the arsenals of the State except one.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, {  
Albany, April 6, 1850. }

*To the Senate:*

I have this day approved and signed the following bills :

"An act to authorise the election of a county judge in the county of Ulster."

"An act in relation to the publication of notices previous to the conveyance of land sold for taxes."

"An act to provide for an equitable settlement of accounts between the State treasury and the city and county of New-York."

"An act requiring the supervisors of the several towns to take further security from the town superintendents of common schools, whenever it is necessary for the safety of the public money."

"An act to amend the act authorising the comptroller to receive the returns of certain unpaid taxes in the county of Wyoming."

"An act to extend the time for the collection of taxes in the city of Syracuse."

"An act to amend the act to provide for the assessment and collection of taxes in the city of Albany, passed March 23, 1850."

"An act to amend an act entitled, 'An act to incorporate the Cayuga county Mutual insurance company,' passed March 20, 1837."

"An act for the relief of the Rensselaer and Columbia turnpike road."

"An act to enable the Presbyterian congregation of Freehold to purchase or erect a parsonage house."

HAMILTON FISH.

The bill from the Assembly entitled "An act to incorporate the Buffalo hospital," being upon its third reading,

Mr. Geddes moved said bill be indefinitely postponed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to incorporate the Onondaga hospital," being upon its third reading,

Mr. Colt moved said bill be indefinitely postponed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mann, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to release the interest of the State in certain lands of which John Jackson died possessed to Jemima Jackson his wife," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly entitled, "An act for the relief of William Wiggins," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly entitled, "An act to pay certain expenses of Daniel Fullerton, for defending the right to a seat in the Assembly, from the third Assembly district of the county of Orange, and of Daniel T. Durland, for contesting the same," reported in favor of the passage of the same.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its third reading.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act regulating the assess-

ment of taxes on incorporated companies," reported in favor of the passage of the same.

Mr. Carroll moved that said bill be referred to the committee on finance, to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Morgan moved said bill be referred to the committee on the judiciary to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Cook moved that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock, from a majority of the committee on the judiciary, reported the bill entitled, "An act for the appointment of commissioners to revise the statutes and to reduce the laws of this State to a systematic code," which was read the first time, and by unanimous consent was also read the second time.

Pending the question thereon,

The Senate took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met,

And resumed the consideration of the bill entitled, "An act for the appointment of commissioners to revise the statutes and to reduce the laws of this State to a systematic code," and it was moved that said bill be made the special order for to-morrow at 11 o'clock.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Mann from the minority of the committee on the judiciary, "An act to repeal the law appointing commissioners of the code," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Mann,

Ordered, That said bill be made the special order for to-morrow at 11 o'clock.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Manhattanville savings institution," reported in favor of the passage of the same.

On motion of Mr. Beekman,

*Ordered*, That said bill be referred to the committee on banks and insurance companies to report complete.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the village of Fulton,' passed April 29, 1835," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Dimmick from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act for the relief of Daniel Cornell and Ransom Clark," reported adverse to the passage of the same in writing.

(See Doc. No. 110.)

The President put the question whether the Senate would agree to said report and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Guinnip, from the committee on militia and public defence, to which was referred the bill entitled, "An act to authorise the sale of certain arsenals and other property and to provide for the safe keeping of the arms and property belonging to the State," reported the same complete with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Geddes from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act to determine and decide the public utility of a railroad from some point in the city of Troy at or near the bridge across the Hudson river to some point in the railroad of the Troy and Greenbush railroad association within said city," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act to restrain short measure in the sale of dry goods," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to authorise the business of banking,' passed May 14, 1840," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Manhattanville savings institution," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan from the committee on finance, to which was referred the bill entitled, "An act to authorise the merchants exchange

company in the city of New-York to reduce its capital stock," reported in favor of the passage of the same.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its its reading.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act establishing free schools in the village of Cohoes," reported in favor of the passage of the same.

On motion of Mr. Carroll,

*Ordered*, That said bill do have their third reading.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to confirm the division of school district number eight in the town of Rosendale in the county of Ulster," reported adverse to the passage of the same.

Mr. Schoonmaker moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to incorporate the Holland Hook and Elizabethtown Point ferry company," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Williams from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to incorporate the Shelter Island ferry company," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Williams from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to incorporate the Minisicongo ferry company," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Schoonmaker from the committee on the judiciary, to which was referred the bill from the Assembly, entitled "An act to facilitate the construction of the Hudson river railroad," reported the same complete without amendments.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to revive 'An act to authorise the laying out and building a road from Morehouse to Salisbury,' passed April 14, 1843," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act respecting the time of payments of drafts or bills of exchange drawn or made payable at sight," reported in favor of the passage of the same.



On motion of Mr. Babcock,

*Ordered*, That said bill be referred to the committee on commerce and navigation to report complete.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise the board of supervisors of St. Lawrence county to make all regulations of ferries in said city," reported adverse to the passage of the same.

Mr. Cook moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act relative to the payment of wages to minors," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled 'An act to vest certain powers in the recorder of the city of Hudson,' passed April 12, 1848," reported in favor of the passage of the same with amendments.

On motion of Mr. Snyder,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the appointment of referees in the city of New-York," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

Mr. Carroll moved that the Senate re-consider its vote on agreeing to the report of the select committee, on the bill from the Assembly, entitled "An act to facilitate the construction of the Hudson river railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The question being upon agreeing to the report of the said committee,

Debate was had thereon, when

The President put the question whether the Senate would agree to the said report, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beach	Mr. Johnson	Mr. Snyder
Mr. Brandreth	Mr. Miller	Mr. Upham
Mr. Crolius		

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#### FOR THE NEGATIVE.

Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Stanton

Mr. Colt  
Mr. Cook  
Mr. Curtis  
Mr. Dart

Mr. Guinnip  
Mr. Mann  
Mr. Robinson

Mr. Stone  
Mr. Tuttle  
Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Mann from the majority of the committee on the judiciary, to which was referred the bill from the Assembly, entitled "An act in relation to a draw in a bridge at Oak Orchard, over Oneida river," reported the same complete.

Mr. Miller moved said bill be referred to the standing committee on canals, with instructions to report said bill to the Senate, tomorrow.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled, "An act to incorporate the Emigrant Industrial Savings Bank," reported the same complete with amendments.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly, entitled "An act in relation to the canal debt, and the maintenance of canals, for the fiscal year commencing October 1, 1850," reported in favor of the passage of the same with amendment.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its third reading.

Mr. Miller, from the committee on roads and bridges, to which was referred the bill from the Assembly entitled, "An act to enable certain commissioners to improve two certain highways running through the Onondaga Indian reservation," reported in favor of the passage of the same.

On motion of Mr. Miller,

*Ordered*, That said bill do have its third reading.

Mr. Geddes from the committee on railroads, to which was referred the bill from the Assembly entitled, "An act to compel the New Haven railroad company to establish a depot in the town of Eastchester, in the county of Westchester," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Mann from the select committee, to which was referred the bill from the Assembly, entitled "An act to authorize the sale of certain out blocks in the city of Oswego," reported in favor of the

passage of the same with amendments, which report was agreed to and the said bill ordered to a third reading.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act respecting the time of payment of drafts or bills of Exchange, drawn or made payable at sight," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

The Assembly sent for concurrence, a resolution in the words following, to wit :

*Resolved*, (if the Senate concur,) That the secretary of the Board of Regents, be and is hereby authorised to furnish to Mr. Alexander Vattemare, for the purpose of International exchanges, five copies of the series of the journal and documents of the Legislature of New-York, for the years 1846, 1847, and 1848, to supply the place of copies heretofore furnished, which were lost at sea, and for this purpose may take such volumes from either the State or Legislative libraries, provided the same can be spared without injury to said libraries.

Mr. Mann moved said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled "An act to authorise the Williamsport and Elmira Railroad Company, incorporated by the State of Pennsylvania, to construct a portion of their road in this State."

Said amendments having been read,

The President put the question whether the Senate would concur in the said amendments of the Assembly, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Dimmick		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Morgan, from the select committee to which was referred the bill entitled "An act to allow contracts of loan and forbearance on personal security, for short periods," reported the same complete with amendments.

Mr. Geddes moved to amend the report of the committee, by striking out all after the enacting clause, and inserting the following :

§ 1. The interest of money shall continue to be at the rate of seven dollars, and no more, upon one hundred dollars for a year, and at the same rate for a greater or less sum, and for a longer or shorter time.

§ 2. No contract or assurance for the payment of money with interest at a greater rate than is allowed by the preceding section, shall be thereby rendered void ; but whenever, in any action brought on such contract or assurance, it shall appear upon a special answer to the complaint being made to that effect, that a greater rate of interest has been directly or indirectly reserved, taken or received, than is allowed by law, the defendant shall recover his full costs, and the plaintiff shall forfeit threefold the amount of the whole interest reserved or taken, and shall have judgment for the balance only, which shall remain due after deducting said threefold.

§ 3. Whenever a greater rate of interest, than is allowed by law shall have been paid, the party paying the same, may recover back threefold the amount of the whole interest paid, provided an action shall be prosecuted within two years from the time when the said interest shall have been paid.

§ 4. In the trial of any action, wherein it shall appear by the pleadings, that the fact of unlawful interest having been taken, or reserved is put in issue, it shall be lawful for the debtor, (the creditor being living,) to become a witness, and he shall be admitted as such ; and the creditor, if he shall offer his testimony, shall also be admitted as a witness, together with any other legal evidence, that may be introduced by either party.

§ 5. All the laws of this State, so far as they conflict with the provisions of this act, are hereby repealed.

The President put the question whether the Senate would agree to said amendment of Mr. Geddes, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the select committee, and it was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Cross	Mr. Schoonmaker
Mr. Brandreth	Mr. Mann	Mr. Stanton
Mr. Croluis	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Morgan	

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#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Dimmick		

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Mr. Morgan moved that the Senate re-consider its vote on agreeing to said report.

Mr. Morgan moved said motion to re-consider be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

By unanimous consent,

Mr. Cook moved that when the Senate adjourns, it will adjourn to meet at 9 o'clock to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock from the select committee, to which was referred the bill from the Assembly entitled, "An act to further amend the act incorporating the Buffalo and Hamburg Turnpike Company, passed January 23, 1830," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill from the Assembly entitled, "An act for the relief of Patrick Higgins," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman from the select committee, to which was referred the bill from the Assembly, entitled "An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies," reported the same complete with amendments.

The President put the question whether the Senate would agree to said report, and it was decided in the negative.

Mr. Dart moved that the Senate re-consider the vote on agreeing to the report of the committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The question then being upon agreeing to the report of the select committee,

Mr. Stanton moved to amend the report of the committee, by restoring the bill as it came from the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the following bills :

"An act entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed April 30, 1836."

"An act to incorporate the Monroe county savings institution."

"An act to provide for a supply of water in the city of Albany."

*Ordered*, That said bills be returned to the Assembly.

The Assembly returned the bill entitled "An act to authorise the Williamsport and Elmira Railroad Company, incorporated by the State of Pennsylvania, to construct a portion of their road in this State."

*Ordered*, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to vest in the United States of America, jurisdiction to land in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fox moved the Senate proceed to the consideration of the bill from the Assembly, entitled "An act to provide for the equitable settlement of the claims of Stiles Johnson and Norman Butler, on their canal contracts."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Cross,

The Senate then adjourned until nine o'clock to-morrow morning.

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## TUESDAY, APRIL 9, 1850.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Cook from the committee on banks and insurance companies, to which was referred the bill entitled "An act to incorporate the Oswego Savings Institution," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Elihu Wright," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

On motion of Mr. Johnson,

*Resolved*, That the bill from the Assembly, entitled "An act relative to the payment of wages of minors," be ordered to a third reading.

By unanimous consent,

Mr. Miller asked for and obtained leave to introduce a bill entitled "An act to extend the time for completing the Henrietta plank

road," which was read the first time, and by unanimous consent was also read a second time.

*Ordered,* That the said bill do have its third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act for the improvement of Racket river, and its tributaries."

*Ordered,* That said bill be returned to the Assembly.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, {  
Albany, April 8, 1850. }

*To the Senate:*

I have this day approved and signed the following bill :

"An act to condense and amend the several acts relating to the village of Skaneateles."

HAMILTON FISH.

On motion of Mr. Cross,

*Resolved,* That the Assembly bill entitled "An act authorising the appointment of commissioners of deeds for the village of Williamsburgh," do have its third reading.

Mr. Babcock offered for the consideration of the Senate, the following resolutions, to wit :

*Resolved,* That the canal commissioners are hereby authorised to enquire into, and cause personal examination to be made, and report to the next session of the Legislature, whether in their opinion the legal and equitable damage sustained by the destruction of timber, and overflow of the lands of Elizabeth S. Granger, Warren Granger, and James N. Granger, in the town of Black Rock, by the construction of the Erie canal, has been made equal by the benefits arising to the said land, by the completion of the said canal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Johnson	Mr. Robinson	
Mr. Cross	Mr. Miller	Mr. Snyder	
Mr. Curtis	Mr. Owen	Mr. Stanton	9

FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Skinner	
Mr. Carroll	Mr. Fox	Mr. Tuttle	
Mr. Cook	Mr. Mann	Mr. Williams	
Mr. Crook	Mr. Schoonmaker		11

Mr. Carroll moved the Senate proceed to the consideration of the resolution heretofore offered by him, in relation to the appointment of a select committee to examine into manorial abuses.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Stanton offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the engrossed bill from the Assembly, entitled "An act to exempt from sale on execution, the homestead of a householder having a family," and that the same be committed to a committee of the whole Senate, and that the Senate go into committee on the bill, this day at 4 o'clock, P. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Snyder
Mr. Crotius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Owen	Mr. Upham
Mr. Dart	Mr. Robinson	Mr. Williams
Mr. Dimmick	Mr. Schoonmaker	26

#### FOR THE NEGATIVE.

Mr. Beach	Mr. Mann	2
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On motion of Mr. Fox,

The Senate proceeded to the consideration of the bill from the Assembly, entitled "An act to provide for the equitable settlement of the claims of Stiles Johnson, and Norman Butler, on their canal contract," and the question being on agreeing to the report of the committee on claims, against the passage of the same.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Mr. Cross offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the Senate go into committee of the whole at 6 o'clock this afternoon, on the Pilot bill.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

On motion of Mr. Johnson,

*Resolved*, That the bill from the Assembly, entitled "An act in relation to taxes for highway purposes in the county of Fulton," be taken from the general orders, and ordered to a third reading.

On motion of Mr. Cross,

WHEREAS, The cities of New-York, Brooklyn, and the village of Williamsburgh, are divided only by the narrow strait of East river,



while the citizens of all, by their business, domestic and social relations, are closely connected together : and whereas, jealousies and dissensions for more than half a century, have existed between them, growing out of the claims of both to exercise certain rights under their several charters affecting the franchises and the jurisdiction of both city governments.

Whereas, The opinion has long been entertained by many citizens of New-York and Brooklyn, that the union of both cities, together with the village of Williamsburgh, under one city government, would effectually end all controversies between them, and tend most powerfully to promote the harmony and the best interests of all concerned. Therefore

*Resolved*, That the Senators from the 2d, 3d, 4th, 5th, and 6th Senate districts, are hereby appointed a committee to consider the subject of a union of the cities of New-York and Brooklyn, and the village of Williamsburgh, under one city government, and that the said committee be instructed to report thereon to the Senate, at an early day of the next session of the Legislature.

On motion of Mr. Brandreth,

*Resolved*, That the bill relative to the facilitating the construction of the Hudson River Railroad, be obtained from the Assembly, and reconsidered.

On motion of Mr. Geddes,

*Resolved*, That the Senate go into committee of the whole upon such private claims as have been favorably reported upon by the standing committees which have had them in charge.

The Senate then resolved itself into a committee of the whole on the bills from the Assembly, entitled as follows, to wit :

"An act for the relief of Platt Williams."

"An act for the relief of William Sherman and Uriah Sherman."

"An act to authorise the appraisal and payment of canal damages to Whiting Tuttle."

"An act for the relief of Lewis Benedict."

"An act to provide for the appraisal and payment of canal damages to William H. Bennett."

"An act to authorise the canal board to hear and determine the claim of William Williams."

"An act to authorise the appraisal and payment of canal damages to James Folts."

"An act providing for the relief of the heirs of John Fort."

"An act to authorise the appraisal and payment of canal damages to George W. Manchester."

"An act to pay Russell B. Burch, for costs and expenses incurred by him in consequence of retaining certain school monies, while acting as school commissioner of the town of New Berlin."

"An act for the relief of Clark Crandall."

And after some time spent thereon, Mr. Mann, from said committee, reported progress on said first mentioned bill and asked for and obtained leave to sit again.

Mr. Mann from the same committee, reported the second mentioned bill to the Senate, with amendments, and the title amended to

read "An act for the appraisal and payment of canal damages to William Sherman and Uriah Sherman."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Also the third mentioned bill with amendments, and title amended to read "An act for the appraisal and payment of canal damages to Whiting Tuttle."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Mann from the same committee, reported the 4th, 5th, 6th, 7th and 8th mentioned bills to the Senate, with amendments.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bills do have their third reading.

Mr. Mann from the same committee, reported the tenth mentioned bill to the Senate, without amendment.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Mann from the same committee, reported the ninth mentioned bill to the Senate, with the enacting clause of the bill stricken out.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The Senate proceeded to the consideration of executive business.

After some time spent in executive session the doors were opened, and the Senate proceeded to legislative business.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation for Clinton Prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

A bill was received from the Assembly for concurrence entitled, "An act in relation to Sing Sing Prison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on state prisons.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Adirondack Iron and Steel Company to take the conveyance of certain real estate towards its capital stock; and to authorise the interest of the infant owners therein to be sold and paid for in stock in such company, secured by mortgages upon the shares so sold," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Johnson,

*Ordered*, That said bill be referred to the committee on trade and manufactures to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the board of supervisors of Jefferson county, to levy a tax on the town of Philadelphia, in said county," which was

read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Skinner,

*Ordered*, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of Henry Y. Beach, of the town of Lysander, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act for the preservation of Washington's Head Quarters," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the California Steamship Company," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Beekman,

*Ordered*, That said bill be referred to the committee on commerce and navigation, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the better education of the children in the several Orphan Asylums of the State, other than in the city of New-York," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Upham,

*Ordered*, That said motion be referred to the select committee of eight.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled 'An act to authorise certain owners of real estate in the city of Brooklyn, to construct bulkheads and wharves in front of their lands, and to fill in the same,' passed March 31, 1848," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Cross,

*Ordered*, That said bill be referred to the committee on commerce and navigation, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act authorising the appointment of commissioners to appraise the damages of William George Barnhart, Jacob Barnhart, George Robertson, George Gillinger, and George Snetzinger, in consequence of their being dispossessed of certain lands by this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the canal commissioners to pay James L. Voorhees, and John W. Pratt, for the building a bridge over the Oswego canal, in the village of Fulton," which was read the first

time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled 'An act to incorporate the Contributors to the Northern Dispensary of the city of New-York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole on the special order for the day, being the bills entitled as follows, to wit :

"An act for the appointment of commissioners to revise the statutes, and to reduce the laws of this State to a systematic code."

"An act to repeal the law appointing commissioners of the code."

And after some time spent on said bills, Mr. Cross, from said committee, reported progress, and asked and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the support of government for the fiscal year commencing October 1st, 1850," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee on canals.

The Senate took a recess until 4 o'clock p. m.

#### 4 O'CLOCK P. M.

The Senate again met,

By unanimous consent,

Mr. Johnson moved that the bill from the Assembly, entitled "An act to enable religious societies to provide for their common expenses," be referred to the committee on public buildings to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to incorporate the Piermont and Westchester Ferry Company," reported in favor of the passage of the same.

On motion of Mr. Colt,

*Ordered*, That said bill be referred to the committee on internal affairs of towns and counties, to report complete.

On motion of Mr. Brandreth,

*Ordered*, That the bill entitled "An act to facilitate the construction of the Hudson River Railroad," be referred to the committee on the incorporation of cities and villages, to report complete.

Mr. Robinson, from the select committee of eight, reported as proper to be referred to a select committee to report complete the

bill from the Assembly, entitled "An act to provide for the better education of the children in the several Orphan Asylums of this State, other than in the city of New-York."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

*Ordered*, That Mr. Upam, Mr. Robinson, and Mr. Guinnip, be said committee.

By unanimous consent,

Mr. Curtis introduced a bill entitled "An act to amend an act passed April 5, 1850, entitled 'An act to authorise Edward Hubbard and Thomas DeLancy, of Cornwall, and Christopher B. Miller, of the town of New Windsor, to establish and maintain a ferry across the Hudson River, from the town of Cornwall, in the county of Orange, to Cold Springs, in the county of Putnam,' " which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Curtis, and by unanimous consent,

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence entitled, "An act making an appropriation to the Western House of Refuge," which was read the first time, and by unanimous consent was also read, the second time, and referred to the committee on finance, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the official acts of Joseph Silliman, as justice of the peace of the town of Watson," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act incorporating the village of Dansville," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act in relation to the Oswego canal, passed April 5, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the board of education of the city of Brooklyn, to sell a certain school lot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to erect the town of Gardiner, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as the same relates to the village of Baldwinsville, in the county of Onondaga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the stockholders of the Lewis county Bank, to elect directors, &c.," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act passed February 26, 1842, incorporating the village of Manlius," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Wool Growers' Manufacturing Company, to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures to report complete.

A bill was received from the Assembly for concurrence entitled, "An act to change the name of St. Ann's Church, in Florida, in the county of Montgomery," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act for the preservation of the public health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

The Assembly returned the bill entitled "An act to provide for the construction of a bridge across the Tonewanda Creek, at the village of Tonewanda, and to authorise a loan to the counties of

Niagara and Erie, for that purpose," with a message informing that they have passed the said bill with the title amended to read, "An act to provide for the construction of a bridge across the Tonewanda creek, at the Village of Tonewanda."

The President put the question whether the Senate would concur in the amendment of the Assembly to said bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beach	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Cross	Mr. Skinner
Mr. Brown	Mr. Curtis	Mr. Stanton
Mr. Carroll	Mr. Dart	Mr. Stone
Mr. Colt	Mr. Dimmick	Mr. Tuttle
Mr. Cook	Mr. Fox	Mr. Williams

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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Cook, from the select committee, to which was referred the bill from the Assembly entitled, "An act for the preservation of Washington's Head Quarters," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to facilitate the construction of the Hudson River Railroad," reported the same complete with amendments.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Schoonmaker
Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Owen	

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FOR THE NEGATIVE.

Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Williams

12

*Ordered,* That said bill do have its third reading.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly, entitled, "An act to amend an act to incorporate the contributors to the Northern Dispensary, of the city of New-York," reported in favor of the passage of the same.

On motion of Mr. Stanton,

*Ordered*, That said bill do have its third reading.

Mr. Colt, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled, "An act to incorporate the Piermont and Westchester Ferry Company," reported in favor of the passage of the same.

On motion of Mr. Colt,

*Ordered*, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

Mr. Beach from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to incorporate the California Steamship Company," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beach from the committee on state prisons, to which was referred the bill from the Assembly, entitled "An act making an appropriation for the Clinton Prison," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beach from the committee on state prisons, to which was referred the bill from the Assembly, entitled "An act making an appropriation to the Sing Sing Prison," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Crolius from the committee on trade and manufactures to which was referred the bill from the Assembly entitled, "An act authorising the Wool Growers Manufacturing Company to increase its capital," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Crolius from the committee on trade and manufactures, to which was referred the bill from the Assembly, entitled "An act to authorise the Adirondace Iron and Steel Company, to take the conveyance of certain real estate towards its capital stock, and to authorise the interest of the infant owners therein, to be sold and paid for in stock in such company, secured by mortgages upon the shares so sold," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to amend an act entitled 'An act to authorise certain owners of real estate in the city of Brooklyn, to construct bulkheads and wharves, in front of their lands and to fill in the same,' passed March 31, 1848," reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Schoonmaker from the committee on claims, to which was referred the bill from the Assembly, entitled "An act for the relief



of Henry G. Beach, of the town of Lysander, in the county of Onondaga," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Crook moved that the bill from the Assembly entitled, "An act making an appropriation for the Clinton prison," also "An act making an appropriation to the Sing Sing prison," be referred to the committee on state prisons to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Johnson from the committee on public buildings, to which was referred the bill from the Assembly entitled, "An act to enable religious societies to provide for their common expenses," reported the same complete with amendments and the title amended to read "An act to enable religious societies in the city of Albany to provide for their common expenses."

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Beach moved that the Senate reconsider its vote on agreeing to the report of the committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Dimmick, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act to incorporate the Piermont and Westchester ferry company," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act for the relief of Sage Walrath and Dunham," reported in favor of the passage of the same.

Mr. Miller moved that said bill be referred to the committee on claims.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Stanton, from the committee on charitable and religious societies, to which was referred the bill from the Assembly entitled, "An act to change the name of St. Anns church in Florida, in the county of Montgomery," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend 'An act to incorporate the Gravesend and Coney Island bridge and road company,' passed March 23, 1823," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Morgan, from the committee on finance, to which was referred the bill from the Assembly entitled, "An act making appropriations for the support of government for the fiscal year, commencing October 1st, 1850," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Morgan moved that said bill be made the special order for this evening at half-past 7 o'clock.

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill from the Assembly entitled, "An act for the preservation of the public health," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Beach from the committee on State prisons, to which was referred the bill from the Assembly entitled, "An act making an appropriation to the Sing Sing prison," also the bill "An act making an appropriation to the Clinton prison," reported the same complete without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Beekman, from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to authorise the board of education of the city of Brooklyn to sell certain school lots," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act to provide for support of common schools," reported adverse to the passage of the same.

Mr. Carroll moved that the bill from the Assembly to provide for the support of common schools, be referred to the same committee having in charge the exemption bill.

Mr. Schoonmaker moved that said bill be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Mann	Mr. Williams
Mr. Cross	Mr. Miller	

17

#### FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Noyes	Mr. Stanton
Mr. Crook	Mr. Owen	Mr. Stone
Mr. Dart	Mr. Robinson	Mr. Tuttle

12

Mr. Upham, from the select committee to which was referred the bill from the Assembly entitled, "An act to provide for the better education of the children in the several orphan asylums of the State other than in the city of New-York," reported the same complete without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled, "An act exempting from sale by execution the homestead of a house holder having a family," and after some time spent thereon, Mr. Johnson, from the same committee, reported the bill to the Senate without amendment.

Mr. Schoonmaker moved to amend the report of the committee of the whole by striking out "one thousand" wherever it occurs in the bill and inserting five hundred."

The President put the question whether the Senate would agree to the said amendment of Mr. Schoonmaker, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Mann	Mr. Skinner
Mr. Brown	Mr. Miller	Mr. Snyder
Mr. Colt	Mr. Morgan	Mr. Tuttle
Mr. Cross		

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FOR THE NEGATIVE.

Mr. Carroll	Mr. Fox	Mr. Owen
Mr. Crook	Mr. Geddes	Mr. Robinson
Mr. Crolius	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Curtis	Mr. Noyes	Mr. Upham
Mr. Dart		

16

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

*Ordered*, That said bill do have its third reading.

Mr. Mann, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to authorise a loan to the county of Putnam and for other purposes," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

The Senate then took a recess until 7 o'clock p. m.

7 O'CLOCK P. M.

The Senate again met,

Mr. Morgan in the chair.

On motion of Mr. Williams,

*Resolved*, That James M. Cook be appointed President pro tem.

Mr. Johnson moved that a committee be appointed to wait upon the Assembly and inform them of the election of a President pro tempore.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Johnson and Brandreth be said committee.

Mr. Babcock moved that a committee be appointed to wait on the Governor and inform him of the election of a President pro tempore.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That Messrs. Babcock and Dart be such committee.

The bill entitled, "An act to authorise the Merchants Exchange company of the city of New-York to reduce its capital stock," was read a third time and passed, a majority of all the members elected to the Senate voting in favor of the passage of said bill, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Owen	Mr. Williams
Mr. Cross	Mr. Robinson	

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate Rich's institute for physical training," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Morgan	

20

#### FOR THE NEGATIVE.

Mr. Geddes

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to extend the time for completing the Henrietta plank road," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Noyes
Mr. Beekman	Mr. Cross	Mr. Owen
Mr. Brown	Mr. Dart	Mr. Schoonmaker
Mr. Carroll	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Morgan	Mr. Williams

21.

## FOR THE NEGATIVE.

Mr. Robinson	Mr. Upham	2
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*Ordered,* That the Clerk deliver said amendment to the Assembly and request their concurrence therein.

Mr. Johnson from the committee appointed to wait upon the Assembly and inform them of the election of a President pro tempore, reported that they had discharged the duty assigned them.

The bill entitled, "An act to authorise the reappraisal and payment of canal damages to James Folts," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Carroll	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Owen	Mr. Tuttle
Mr. Crook	Mr. Robinson	Mr. Upham
Mr. Cross	Mr. Schoonmaker	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Geddes
Mr. Colt		

4

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act to authorise Edward Hubbard and Thomas J. Delancy of Cornwall, and Christopher B. Miller of the town of New Windsor to establish and continue a ferry across the Hudson river from the town of Cornwall, in the county of Orange, to Cold Springs in the county of Putnam "

*Ordered,* That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills :

"An act to amend an act passed April 5, 1850 entitled, 'An act to authorise Edward Hubbard and Thomas J. Delancey, of Cornwall, and Christopher B. Miller of the town of New Windsor to establish and maintain a ferry across the Hudson river from the town of Cornwall, in the county of Orange, to Cold Spring in the county of Putnam.'"

"An act to incorporate the New-York and Virginia steam ship company."

"An act to give the right of the people of this State to the property of Amasa Kelson deceased, in aid of the orphan asylum society of the city of Utica, and the association for colored orphans in the city of New-York."

"An act to incorporate the Piermont and Dearman ferry company."

"An act to amend 'An act to provide for the appointment of commissioners to ascertain the compensation for taking private property for public use in the city of Troy, and to regulate the proceedings in taking such property for that purpose,' passed April 6th 1849."

"An act to amend an act incorporating the village of Plattsburgh and the acts amendatory thereof."

"An act to amend the act to provide for the publication of the reports of the court of appeals, passed April 11, 1848."

"An act to authorise the Little Falls and Salisbury plank road company to mortgage their road as a security for a loan."

"An act to amend the charter of the city of Auburn."

"An act to grant the use of a pier in the Cayuga lake to the Cayuga and Susquehanna railroad company."

"An act authorising a loan to the town of Alfred and to authorise the town of Alfred to reloan the same money to the trustees of the Alfred academy."

"An act to authorise the comptroller to suspend legal proceedings against the Hudson and Berkshire railroad company."

*Ordered*, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the support of common schools and for schools in orphan asylums and among the Indians, for the years 1851 and 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the treasurer to employ an additional clerk in his department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public expenditures.

A bill was received from the Assembly for concurrence entitled, "An act authorising Edward J. Cox to change his name," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act concerning passengers

in vessels coming to the city of New-York,' passed May 5, 1847," also, to amend the act entitled, "An act to amend certain acts concerning passengers coming to the city of New-York, passed April 11, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of certain officers of the seventh regiment of New-York State artillery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the completion of the geological survey of the State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act for testing an alleged discovery of a natural principle or law in the vegetable kingdom and an improved system of cultivating of crops and plants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence entitled, "An act amending the several acts for the protection of emigrants arriving in the city of New-York relative to the granting of licenses to emigrant boarding house keepers and emigrant runners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the Oneida county Mutual insurance company,' passed April 28, 1836," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain real estate of which Coffee Havens died seized to Joseph Price," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to enable the representatives of Ellen O'Brian deceased to take and hold the lands whereof Thomas Reeves deceased died seized," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to enable Mary Louisa Powers and her trustees to sell and convey or to mortgage certain trust property," which was read the

first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act relative to the penitentiary in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Geddes,

*Ordered*, That said bill be referred to the committee on state prisons to report complete.

The bill entitled, "An act to incorporate the Piermont and Westchester ferry company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to pay certain expenses of Daniel Fullerton for defending the right to a seat in the Assembly from the third Assembly district of the county of Orange, and of Daniel T. Durland for contesting the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Beekman	Mr. Curtis	Mr. Owen
Mr. Brandreth	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Crook	Mr. Morgan	

26

**FOR THE NEGATIVE.**

Mr. Mann

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.



The bill from the Assembly, entitled "An act for the preservation of Washington's Head Quarters," was read the third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beach	Mr. Curtis	Mr. Schoonmaker
Mr. Beekman	Mr. Dart	Mr. Skinner
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Morgan	Mr. Williams.
Mr. Crook	Mr. Noyes	

29

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act declaring Rackett river in the State of New-York a public highway and regulating the passage of lumber down the same," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Ginnip	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Schoonmaker

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to authorise a loan to the county of Putnam," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Fox	Mr. Stanton
Mr. Brown	Mr. Guinnip	Mr. Stone
Mr. Carroll	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Owen	

20

## FOR THE NEGATIVE.

Mr. Morgan

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to exempt from sale on execution the homestead of a householder having a family," was read the third time and passed, a majority of all the members elected, to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Noyes
Mr. Beach	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Stanton
Mr. Crolius	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham

27

## FOR THE NEGATIVE.

Mr. Brown

Mr. Colt

Mr. Skinner

3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Cross,

*Resolved*, That the Clerk pay out of the contingent fund of the Senate, to George L. Garlick, the Janitor of the Senate, such sum as shall make his compensation three dollars per day, together with his mileage, and for attendance for ten days after this session, and prior to the next, in arranging and preparing the Senate Chamber.

Mr. Babcock from the committee appointed to wait upon the Governor, and inform him of the appointment of a President pro tempore, reported that the committee had discharged the duty imposed upon them.

The President *pro tem* on taking the Chair, addressed the Senate as follows :

Senators—I thank you for the honor you have conferred upon me by electing me President *pro tem.* of the Senate. In entering upon the duties of the office, permit me to bespeak your kindness and indulgence, in overlooking the errors I may commit while presiding over your deliberations. I feel the necessity of thus asking your indulgence, from the very limited experience I have in performing the duties you have assigned me; but rest assured that, as far as my capacity and experience will permit, they shall be discharged with fairness and impartiality.

On motion of Mr. Stanton,

*Resolved*, That the thanks of the Senate, are hereby tendered to the Honorable George W. Patterson, for the ability, dignity, impartiality, and courtesy, with which he has presided over its deliberations, during the present session.

*Resolved*, That the Clerk transmit to Lt. Gov. Patterson, a copy of the foregoing resolution.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, That the comptroller with the aid of the attorney general, be requested to investigate the condition of the funds bestowed by the State upon Union College, and to ascertain whether the same are now safely invested; what amounts have been paid by Yates and McIntyre, to the president or trustees of said college, out of the proceeds of the lotteries; by what title the real estate reputed to belong to the college, both in New-York and Schenectady, is held; what are the annual revenues of the college, and from what sources they are derived.

*Resolved*, That they have power to send for persons and papers, and report to the Legislature on the first day of the next session.

The President put the question whether the Senate would agree to said first resolution, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said second resolution, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Miller
Mr. Beach	Mr. Crook	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Geddes	Mr. Tuttle
Mr. Colt	Mr. Guinnip	Mr. Upham
Mr. Cook		

22

#### FOR THE NEGATIVE.

Mr. Johnson	Mr. Robinson	Mr. Stone
Mr. Mann	Mr. Schoonmaker	Mr. Williams

6

On motion of Mr. Brown,  
*Resolved*, That Assembly bill No. 376, being "An act to incorporate the Holland's Hook, and Elizabethtown Point Ferry Company," be ordered to a third reading.

On motion of Mr. Brown,  
*Resolved*, That Assembly bill being "An act to incorporate the Shelter Island Ferry Company," be ordered to a third reading.  
Mr. Geddes moved that when the Senate adjourn it will adjourn to meet at 9 o'clock to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Skinner,  
*Resolved*, That the committee of the whole be discharged from any further consideration of the Assembly bill 287 entitled, "An act declaratory of the jurisdiction and authority of the trustees of the village of Lyons over the public square in said village and establishing such jurisdiction and authority, and that the same be ordered to a third reading.

On motion of Mr. Schoonmaker,  
*Resolved*, That the Senate bill entitled, "An act to amend 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogate courts,' passed May 16, 1837," be taken from the general orders and ordered to a third reading.

Mr. Dimmick from the committee on agriculture, to which was referred the bill from the Assembly entitled, "An act to provide for testing an alleged a discovery of natural principle or law in the vegetable kingdom and an improved system of cultivating crops and plants," reported in favor of the passage of the same.

On motion of Mr. Snyder,  
*Ordered*, That said bill be referred to the committee on agriculture to report complete.

Mr. Beach from the committee on state prisons, to which was referred the bill from the Assembly entitled, "An act in relation to the penitentiary in the county of Onondaga," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly, entitled "An act making appropriations for the support of government for the fiscal year commencing October 1, 1850," and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same with amendments.

Mr. Stone moved to amend the report of the committee of the whole by reducing the appropriation for the support of foreign poor in the county of Jefferson and striking out the appropriations for support of foreign poor in the counties of Chemung, Dutchess, Kings, Ulster and Livingston.

Mr. Schoonmaker moved to amend the said amendment by striking out Monroe, Oswego and Jefferson counties.

Mr. Mann moved to amend the said amendment by striking out all the appropriations for the support of foreign poor.

The President put the question whether the Senate would agree to said amendment of Mr. Mann, and it was decided in the negative, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Geddes	Mr. Noyes	Mr. Skinner	
Mr. Mann	Mr. Robinson		5

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Crolius	Mr. Miller	
Mr. Beach	Mr. Crook	Mr. Morgan	
Mr. Beekman	Mr. Cross	Mr. Schoonmaker	
Mr. Brandreth	Mr. Curtis	Mr. Snyder	
Mr. Brown	Mr. Dart	Mr. Stanton	
Mr. Carroll	Mr. Dimmick	Mr. Stone	
Mr. Colt	Mr. Fox	Mr. Upham	
Mr. Cook	Mr. Johnson	Mr. Williams	24

The President then put the question whether the Senate would agree to the said motion of Mr. Schoonmaker, and it was decided in the affirmative, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Curtis	Mr. Robinson	
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker	
Mr. Brandreth	Mr. Fox	Mr. Snyder	
Mr. Crolius	Mr. Geddes	Mr. Stanton	
Mr. Cross	Mr. Noyes	Mr. Upham	15

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Cook	Mr. Mann	
Mr. Brown	Mr. Crook	Mr. Miller	
Mr. Carroll	Mr. Dart	Mr. Skinner	
Mr. Colt	Mr. Johnson	Mr. Stone	12

Mr. Stone moved that the Senate reconsider its vote just taken.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Mann moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Geddes moved to strike out all the appropriations for the support of foreign poor except to the counties of New-York and Washington.

A division of the question being called for,

The President put the question whether the Senate would agree to the appropriation to St Lawrence county, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Mann	Mr. Williams

15

## FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Brandreth	Mr. Geddes	Mr. Schoonmaker
Mr. Cross	Mr. Morgan	Mr. Skinner
Mr. Curtis	Mr. Noyes	Mr. Stanton

16

The President put the question whether the Senate would agree to the appropriation to the County of Clinton, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Snyder
Mr. Beekman	Mr. Dart	Mr. Stone
Mr. Carroll	Mr. Fox	Mr. Upham
Mr. Colt	Mr. Johnson	Mr. Williams
Mr. Cook	Mr. Miller	

14

## FOR THE NEGATIVE.

Mr. Beach	Mr. Geddes	Mr. Robinson
Mr. Brandreth	Mr. Mann	Mr. Schoonmaker
Mr. Cross	Mr. Morgan	Mr. Skinner
Mr. Curtis	Mr. Noyes	Mr. Stanton
Mr. Dimmick		

13

The President put the question whether the Senate would agree to the appropriation to the county of Oswego, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cook	Mr. Mann	Mr. Williams
Mr. Crook	Mr. Miller	

17

## FOR THE NEGATIVE.

Mr. Beach	Mr. Geddes	Mr. Schoonmaker
Mr. Beekman	Mr. Noyes	Mr. Skinner
Mr. Cross	Mr. Robinson	Mr. Stanton
Mr. Dimmick		

19

The President put the question whether the Senate would agree to the appropriation to the county of Monroe, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Miller
Mr. Brandreth	Mr. Dart	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Williams
Mr. Cook		

13

## FOR THE NEGATIVE.

Mr. Beach	Mr. Geddes	Mr. Schoonmaker
Mr. Beekman	Mr. Mann	Mr. Skinner
Mr. Cross	Mr. Morgan	Mr. Stanton
Mr. Curtis	Mr. Noyes	Mr. Upham
Mr. Dimmick	Mr. Robinson	

14

The President put the question whether the Senate would agree to the appropriation to the county of Erie, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Upham
Mr. Cook	Mr. Miller	Mr. Williams
Mr. Crook		

19

## FOR THE NEGATIVE.

Mr. Beach	Mr. Geddes	Mr. Skinner
Mr. Cross	Mr. Noyes	Mr. Stanton
Mr. Dimmick	Mr. Robinson	

8

The President put the question whether the Senate would agree to the appropriation to the county of Rensselaer, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Upham
Mr. Cook	Mr. Morgan	Mr. Williams
Mr. Crook		

16

## FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cross	Mr. Mann	Mr. Stanton
Mr. Curtis	Mr. Noyes	

11

The President put the question whether the Senate would agree to the appropriation to the county of Albany, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crook	Mr. Schoonmaker
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brandreth	Mr. Johnson	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Upham
Mr. Colt	Mr. Morgan	Mr. Williams
Mr. Cook		

16

## FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Cross	Mr. Geddes	Mr. Skinner
Mr. Curtis	Mr. Mann	Mr. Stanton
Mr. Dimmick	Mr. Noyes	

11

The President put the question whether the Senate would agree to the appropriation to the county of Washington, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross		

22



FOR THE NEGATIVE.

Mr. Beach,	Mr. Robinson	Mr. Skinner
Mr. Geddes		

4

The President put the question whether the Senate would agree to the appropriation to the city of New-York, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beach	Mr. Curtis	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brandreth	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams

24

FOR THE NEGATIVE.

Mr. Geddes	Mr. Robinson	Mr. Skinner
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3

Mr. Curtis moved the Senate reconsider its vote on the appropriation of \$1000 to the county of Monroe.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Morgan
Mr. Brandreth	Mr. Dart	Mr. Skinner
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Colt	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Williams

18

FOR THE NEGATIVE.

Mr. Beach	Mr. Geddes	Mr. Robinson
Mr. Beekman	Mr. Mann	Mr. Schoonmaker
Mr. Cross	Mr. Noyes	Mr. Upham

9

The president then put the question on the appropriation to the county of Monroe, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Skinner
Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brandreth	Mr. Dimmick	Mr. Stanton

Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Upham
Mr. Cook	Mr. Morgan	Mr. Williams
Mr. Crook		

19

## FOR THE NEGATIVE.

Mr. Cross	Mr. Mann	Mr. Robinson
Mr. Fox	Mr. Noyes	Mr. Schoonmaker
Mr. Geddes		

7

Mr. Snyder moved to insert an appropriation of \$1000, to the county of Dutchess.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Noyes
Mr. Brandreth	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Crook	Mr. Johnson	Mr. Snyder
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis		

16

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Mann	Mr. Stanton
Mr. Beekman	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Robinson	Mr. Williams
Mr. Cook		

10

The President then put the question on the appropriation of \$1000, to the county of Kings, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Morgan	Mr. Snyder
Mr. Beekman	Mr. Noyes	Mr. Stanton
Mr. Colt	Mr. Schoonmaker	Mr. Williams
Mr. Dimmick	Mr. Skinner	

11

## FOR THE NEGATIVE.

Mr. Carroll	Mr. Dart	Mr. Miller
Mr. Cook	Mr. Fox	Mr. Robinson
Mr. Crook	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Upham
Mr. Curtis		

13

The President then put the question on the appropriation of \$500,

to the county of Ulster, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Cross	Mr. Schoonmaker
Mr. Carroll	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Noyes	Mr. Snyder
Mr. Cook		

10

**FOR THE NEGATIVE.**

Mr. Beekman	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Dart	Mr. Miller	Mr. Upham
Mr. Fox	Mr. Robinson	Mr. Williams

12

Mr. Skinner moved to insert for the county of Jefferson, \$500.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Colt	Mr. Miller	Mr. Snyder
Mr. Cross	Mr. Noyes	Mr. Stanton
Mr. Dimmick	Mr. Skinner	Mr. Williams

9

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Crook	Mr. Johnson
Mr. Beach	Mr. Curtis	Mr. Mann
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Stone
Mr. Cook	Mr. Geddes	Mr. Upham

15

The question being on agreeing to the report of the committee of the whole as amended.

Mr. Morgan moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Mr. Morgan moved that the Senate reconsider its vote on agreeing to the report of the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to

the said report, of the committee of the whole, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Curtis	Mr. Snyder	
Mr. Beekman	Mr. Dart	Mr. Stanton	
Mr. Carroll	Mr. Johnson	Mr. Stone	
Mr. Cook	Mr. Miller	Mr. Upham	
Mr. Crook	Mr. Morgan	Mr. Williams	15

## FOR THE NEGATIVE.

Mr. Beach	Mr. Fox	Mr. Noyes	
Mr. Colt	Mr. Geddes	Mr. Robinson	
Mr. Cross	Mr. Mann	Mr. Skinner	
Mr. Dimmick			10

*Ordered,* That said bill do have its third reading.

Mr. Upham from the committee on canals, to which was referred the bill from the Assembly entitled, "An act in relation to a draw in the bridge at Oak Orchard, over the Oneida river," reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the bill from the Assembly entitled, "An act to authorise the canal commissioners to pay James S. Voorhees, David Wilcox, and John W. Pratt, for the building a bridge over the Oswego canal, in the village of Fulton," reported the same complete without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Johnson from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled "An act to erect the town of Gardner, in the county of Ulster," reported adverse to the passage of said bill.

Mr. Curtis moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Baldwinsville, in the county of Onondaga," reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled, "An act to amend an act passed February 26, 1842, incorporating the village of Manlius," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Dimmick from the committee on agriculture, to which re-

ferred the bill from the Assembly, entitled "An act to provide for the testing an alleged discovery of a natural principle or law in the vegetable kingdom, and an improved system of cultivating crops and plants." reported the same complete without amendment.

The President put the question whether the Senate would agree to the said report, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Crook	Mr. Johnson	Mr. Snyder	
Mr. Curtis	Mr. Miller	Mr. Williams	
Mr. Dimmick	Mr. Noyes		8

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Cook	Mr. Mann	
Mr. Beach	Mr. Cross	Mr. Morgan	
Mr. Beekman	Mr. Dart	Mr. Stanton	
Mr. Carroll	Mr. Fox	Mr. Stone	
Mr. Colt	Mr. Geddes	Mr. Upham.	15

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Mann moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the payment of certain expenses of government," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Carroll moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act to amend an act entitled 'An act to authorise the business of banking,' passed May 14, 1840," was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Cook	Mr. Mann	Mr. Robinson	
Mr. Dart	Mr. Miller	Mr. Upham	
Mr. Fox	Mr. Morgan	Mr. Williams	
Mr. Geddes			10

**FOR THE NEGATIVE.**

Mr. Babcock	Mr. Colt	Mr. Noyes	
Mr. Beach	Mr. Curtis	Mr. Stanton	
Mr. Beekman	Mr. Dimmick	Mr. Stone	
Mr. Carroll	Mr. Johnson		11

Mr. Johnson moved the Senate reconsider its vote on the final passage of said bill.

Mr. Johnson moved said motion be laid on the table.

The President put the question whether the Senate would agree to lay said motion to reconsider on the table, and it was decided in the affirmative.

On motion of Mr. Dart,

The Senate then adjourned until nine o'clock to-morrow morning.

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### WEDNESDAY, APRIL 10, 1850.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

A communication was received from the Lieutenant Governor in the words following, and by a unanimous vote of the Senate ordered to be entered in the journal :

DELAVER HOUSE, }  
April 9th, 1850, }

*To the Senate:*

I have received from the clerk a copy of a resolution, purporting to have been unanimously passed, in which you express your approbation of the manner in which I have discharged the duties of the chair during the session now about to close.

It has been my intention to preside over your deliberations with impartiality, and with a proper regard to the promotion of the public business. That I have so far succeeded as to receive the assurance of your approbation is particularly gratifying.

Many questions have been discussed during the session, some of which are of great importance to the interests of the State, and the peace and happiness of the Republic; but it is gratifying to know that in matters of legislation, party lines have rarely been drawn, while many laws have been passed that will be a lasting benefit to the people, and an honor to the Legislature.

It is due to your able and efficient clerk to say, that his experience in legislation has rendered my duties comparatively light, and to him we are much indebted for the despatch of the business of the Senate.

It affords me great pleasure to say that my official, as well as personal intercourse with Senators has been of the most friendly cha-

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racter, and to bear testimony to the fidelity with which every member and officer has discharged the duties of his station.

As our official relation has now terminated, and you are about to return to your respective homes to meet and mingle with warm-hearted and generous friends, let me indulge the hope that each of you will be greeted with the smile of approbation from an honest, patriotic and intelligent constituency, and that you will, by the blessing of providence, enjoy long life, health and happiness.

Very respectfully, your ob't servant,  
**GEORGE W. PATTERSON.**

The Assembly returned the bill entitled "An act to authorise the appointment of commissioners to take the acknowledgment of deeds and other instruments and to administer oaths in other States and territories," with a message informing that they have passed the same with the amendments therewith delivered.

Said amendments having been read,

The President put the question whether the Senate would concur in the said amendments of the Assembly, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Snyder
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Cross	Mr. Morgan	

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to pay Thomas Marvin for the loss of a horse while acting in obedience to the directions of the sheriff of Delaware county."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Tuttle
Mr. Carroll	Mr. Fox	Mr. Upham
Mr. Cook	Mr. Guinnip	Mr. Williams
Mr. Crook	Mr. Johnson	

14

## FOR THE NEGATIVE.

Mr. Brown	Mr. Cook	Mr. Mann	6
Mr. Colt	Mr. Crolius	Mr. Snyder	

Mr. Beach moved that the Senate reconsider its vote on said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would concur in the said amendments, and it was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker	15
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Guinnip	Mr. Tuttle	
Mr. Crook	Mr. Johnson	Mr. Upham	
Mr. Cross	Mr. Robinson	Mr. Williams	

## FOR THE NEGATIVE.

Mr. Brown	Mr. Mann	Mr. Skinner	7
Mr. Crolius	Mr. Miller	Mr. Stone	
Mr. Geddes			

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to provide for the settlement of the accounts of testamentary trustees."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Mann	19
Mr. Beach	Mr. Crook	Mr. Morgan	
Mr. Beekman	Mr. Dimmick	Mr. Robinson	
Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Carroll	Mr. Geddes	Mr. Tuttle	
Mr. Colt	Mr. Guinnip	Mr. Williams.	
Mr. Cook			

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill enti-



ted, "An act to amend the Revised Statutes relating to grants of land under water."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Crook	Mr. Morgan
Mr. Beach	Mr. Cross	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Mann	Mr. Williams
Mr. Crolius	Mr. Miller	

23

**FOR THE NEGATIVE.**

Mr. Geddes

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act authorising the canal board to abandon the Fort Miller dam and the use of the side cut at Fort Miller as an appendage to the Champlain canal."

Said amendments were read, when

Mr. Schoonmaker moved that said bill be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed with the amendments therewith delivered, the bill entitled, "An act in relation to the public health in the city of New-York."

Said amendments having been read,

The President put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Colt	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Crolius	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Cross	Mr. Owen	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that they have concurred in their amendments thereto.

By unanimous consent,

Mr. Guinnip offered for the consideration of the Senate, the following resolution, to wit :

*Resolved*, That the Clerk of the Senate pay from the contingent fund of the Senate, the sum of three hundred dollars, to Daniel E. Gavit, for the portraits taken by him, of the Senators of 1848, and 1849, and that the frame be hung in the State Library.

Mr. Geddes moved said resolution be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Debate was had thereon, when

Mr. Cross moved said resolution be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message was received from the Assembly, informing that they had passed, without amendment, the bill entitled, "An act to authorise the transportation of live stock on railroads, free from canal tolls."

Said amendments having been read,

The President then put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brown	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Owen	Mr. Williams
Mr. Cross		

22

#### FOR THE NEGATIVE.

Mr. Dart	Mr. Schoonmaker
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

A message from the Governor was received and read in the words following, to wit :

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 10, 1850. }*

*To the Senate:*

I respectfully return to the Senate the bill entitled "An act to incorporate the Oswego dry dock and marine railway company," from

which I am under the necessity of withholding my approval, for reasons similar to those which I had the honor to submit in connection with the bill to extend the charter of the Schoharie central bridge company,

The Legislature has enacted a general law authorizing the formation of corporations for manufacturing, mining, mechanical, or chemical purposes, (Laws of 1848, chapter forty, page fifty-four,) which embraces the general objects of the corporation proposed to be created by this bill.

While this general law remains in force, I cannot believe it competent for the Legislature to create by a special act a corporation for objects which may be attained under such laws. If I am mistaken in this opinion, I shall be happy to see a laudable enterprise undertaken under the direct sanction of the Legislature. But believing that the objects of the proposed corporation may be thus attained. I respectfully return the bill to the Senate.

HAMILTON FISH.

The question being whether the Senate would pass the bill notwithstanding the objections of the Governor.

Mr. Mann moved said bill be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Governor was received and read, in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 9, 1850.* }

*To the Senate :*

I have this day approved and signed the following entitled bills to wit:

"An act authorizing the canal commissioners to build a bridge across the Erie canal at Genesee street, in the city of Buffalo."

"An act to authorize the Williamsport and Elmira rail road company incorporated by the State of Pennsylvania, to construct a portion of their road in this state."

"An act to amend an act passed April 9, 1850, entitled 'An act to authorize Edward Hubbard and Thomas J. Delancy of Cornwall, and Christopher B. Miller of the town of New Windsor, to establish and maintain a ferry across the Hudson river from the town of Cornwall in the county of Orange, to Cold Spring in the county of Putnam.'"

"An act to incorporate the Piermont and Dearman ferry company."

"An act to amend the act to provide for the publication of the reports of the court of appeals, passed April 11, 1848."

"An act to grant the use of a pier in the Cayuga lake to the Cayuga and Susquehannah railroad company."

"An act to authorize the Little Falls and Salisbury plank road company to mortgage their road as a security for a loan."

"An act to amend the charter of the city of Auburn."

"An act to amend an act to provide for the appointment of commissioners, to ascertain the compensation for taking private property for public use in the city of Troy, and to regulate the proceedings in taking such property for that purpose, passed April 6, 1849."

"An act to amend an act incorporating the village of Plattsburgh, passed April 26, 1831, and the act amendatory thereof, passed April 12, 1848."

"An act to give the right of the people of this State to the property of Amasa Kelson, deceased, in aid of the orphan asylum society of the city of Utica, and the association for colored orphans in the city of New York."

"An act to authorize the comptroller to suspend legal proceedings against the Hudson and Berkshire rail road company."

#### HAMILTON FISH.

The bill entitled "An act to amend an act concerning the proof of wills, executors, and administrators, guardians and wards in surrogates' courts, passed May 16, 1837," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Crolius	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Schoonmaker	Mr. Williams
Mr. Dart		

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Johnson,

The Senate proceeded to the consideration of the bill from the Assembly, entitled "An act to amend the act entitled 'An act to authorize the business of banking,' passed May 14, 1840," and the question being on the motion to reconsider,

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Tuttle

Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Johnson  
Mr. Mann  
Mr. Miller

Mr. Upham  
Mr. Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act, entitled 'An act to incorporate the contributors to the Northern Dispensary of the city of New-York,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Cook  
Mr. Crolius  
Mr. Cross  
Mr. Curtis

Mr. Dart  
Mr. Dimmick  
Mr. Fox  
Mr. Guinnip  
Mr. Mann  
Mr. Miller  
Mr. Morgan

Mr. Robinson  
Mr. Skinner  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the better education of the children of the several orphan asylums of the State other than in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown  
Mr. Cook  
Mr. Crolius  
Mr. Crook  
Mr. Cross  
Mr. Curtis  
Mr. Dart  
Mr. Dimmick

Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Morgan  
Mr. Noyes  
Mr. Owen

Mr. Robinson  
Mr. Skinner  
Mr. Stanton  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

23

## FOR THE NEGATIVE.

Mr. Beekman

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act to authorise the sale of certain arsenals and other property and to provide for the safe keeping of the arms and other property of the State," was read the third time and passed, a majority of all the members elected to the Senate, voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Owen	
Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Carroll	Mr. Geddes	Mr. Stanton	
Mr. Colt	Mr. Guinnip	Mr. Stone	
Mr. Crolius	Mr. Mann	Mr. Tuttle	
Mr. Cross	Mr. Miller	Mr. Upham	
Mr. Curtis	Mr. Morgan	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Crook	Mr. Noyes	Mr. Robinson	
Mr. Dimmick			1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly, entitled "An act to further amend the 'Act incorporating the Buffalo and Hamburgh turnpike company,' passed January 23, 1830," was read the third time and passed, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Robinson	
Mr. Beekman	Mr. Curtis	Mr. Skinner	
Mr. Brown	Mr. Mann	Mr. Snyder	
Mr. Carroll	Mr. Miller	Mr. Stone	
Mr. Colt	Mr. Morgan	Mr. Tuttle	
Mr. Cook	Mr. Noyes	Mr. Upham	
Mr. Crolius	Mr. Owen	Mr. Williams	
Mr. Crook			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act in relation to Sing Sing prison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Owen
Mr. Brown	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Snyder
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act in relation to taxes for highway purposes in the county of Fulton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Colt, and by unanimous consent,

*Resolved*, That the Assembly bill 125, to amend the Revised Statutes in relation to division fences, also, the Assembly bill 301 to extend the time for county treasurers to take the oath of office and file their official bond, be ordered to a third reading.

The bill from the Assembly entitled, "An act to authorise the sale of certain out blocks in the city of Oswego," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Stanton
Mr. Carroll	Mr. Mann	Mr. Stone

Mr. Crolius  
Mr. Cross  
Mr. Crook  
Mr. Dart

Mr. Morgan  
Mr. Noyes  
Mr. Owen

Mr. Tuttle  
Mr. Upham  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Cook

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the Manhattan savings institution," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brandreth  
Mr. Brown  
Mr. Carroll  
Mr. Colt  
Mr. Cook  
Mr. Crolius  
Mr. Crook

Mr. Cross  
Mr. Curtis  
Mr. Dimmick  
Mr. Johnson  
Mr. Miller  
Mr. Noyes  
Mr. Owen

Mr. Robinson  
Mr. Skinner  
Mr. Snyder  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Dart

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to incorporate the Shelter Island ferry company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Beekman  
Mr. Brown  
Mr. Cook  
Mr. Colt  
Mr. Cross  
Mr. Crolius

Mr. Dimmick  
Mr. Mann  
Mr. Miller  
Mr. Morgan  
Mr. Noyes  
Mr. Robinson

Mr. Snyder  
Mr. Skinner  
Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.



The bill from the Assembly entitled, "An act in relation to the canal debt and the maintenance of the canals for the fiscal year commencing October 1, 1850," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Owen
Mr. Babcock	Mr. Crolius	Mr. Robinson
Mr. Beekman	Mr. Curtis	Mr. Snyder
Mr. Brandreth	Mr. Dimmick	Mr. Skinner
Mr. Brown	Mr. Fox	Mr. Stone
Mr. Carroll	Mr. Johnson	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Colt	Mr. Morgan	Mr. Williams
Mr. Cross	Mr. Noyes	

26

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to facilitate the construction of the Hudson river railroad, by authorising railroad and municipal corporations in its vicinity to aid the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Robinson
Mr. Babcock	Mr. Dimmick	Mr. Snyder
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Stone
Mr. Brown	Mr. Miller	Mr. Tuttle
Mr. Colt	Mr. Owen	Mr. Upham
Mr. Cross		

19

## FOR THE NEGATIVE.

Mr. Dart	Mr. Fox	Mr. Noyes
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3

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act in relation to a draw in a bridge at Oak Orchard over Oneida river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the mem-

bers elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Noyes
Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Crook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Johnson	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart		

19

FOR THE NEGATIVE.

Mr. Beach	Mr. Miller
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2

*Ordered*, That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to vest certain powers in the recorder of the city of Hudson,' passed April 12, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Stone
Mr. Crook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Curtis	Mr. Oweu	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act making an appropriation for Clinton prison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Colt	Mr. Fox	Mr. Stone

Mr. Crook	Mr. Guinnip	Mr. Tuttle	
Mr. Crolius	Mr. Johnson	Mr. Upham	
Mr. Curtis	Mr. Miller		17

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Geddes	Mr. Noyes	
Mr. Carroll	Mr. Mann	Mr. Williams	5

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Schoonmaker,

The Senate proceeded to the consideration of the bill entitled, "An act authorising the canal board to abandon the Fort Miller dam and the use of the side cut at Fort Miller as an appendage to the Champlain canal," and the question being on concurring in the amendments of the Assembly to said bill,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Carroll	Mr. Fox	Mr. Robinson	
Mr. Cook	Mr. Geddes	Mr. Schoonmaker	
Mr. Cross	Mr. Guinnip	Mr. Skinner	
Mr. Crook	Mr. Mann	Mr. Stone	
Mr. Crolius	Mr. Miller	Mr. Tuttle	
Mr. Dart	Mr. Morgan	Mr. Upham	
Mr. Dimmick	Mr. Noyes	Mr. Williams	21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The bill from the Assembly, entitled "An act to incorporate the Emigrant Industrial savings bank," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Fox	Mr. Skinner	
Mr. Carroll	Mr. Johnson	Mr. Stanton	
Mr. Cook	Mr. Mann	Mr. Stone	
Mr. Colt	Mr. Miller	Mr. Tuttle	
Mr. Cross	Mr. Morgan	Mr. Upham	
Mr. Crolius	Mr. Noyes	Mr. Williams	
Mr. Dimmick	Mr. Robinson		20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the Revised Statutes in relation to division fences," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Guinnip	Mr. Skinner
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
		18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled, "An act in relation to the appointment of referees in the city of New-York," was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Babcock	Mr. Guinnip	Mr. Robinson
Mr. Colt	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Crolius		
		18

## FOR THE NEGATIVE

Mr. Brown	Mr. Dart	Mr. Noyes
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Curtis	Mr. Mann	Mr. Tuttle
		12

The bill from the Assembly entitled, "An act relative to the payment of wages to minors," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Noyes
Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Brown	Mr. Fox	Mr. Stanton
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Guinnip	Mr. Tuttle
Mr. Colt	Mr. Johnson	Mr. Upham
Mr. Cross	Mr. Mann	Mr. Williams.
Mr. Crolius	Mr. Miller	
		26

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the California steam ship company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Crolius	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Colt	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
		21

**FOR THE NEGATIVE.**

Mr. Dart	Mr. Fox	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Lewis Benedict," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Guinnip	Mr. Robinson
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Skinner
Mr. Cross	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Dimmick	Mr. Owen	Mr. Williams
		18

**FOR THE NEGATIVE.**

Mr. Colt	Mr. Crook	Mr. Mann	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorize the canal board to hear and determine the claim of William H. Williams," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-

fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Guindip	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Snyder
Mr. Cross	Mr. Mann	Mr. Skinner
Mr. Crook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Upham
Mr. Fox	Mr. Robinson	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Cook	Mr. Colt	Mr. Curtis	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

Mr. Beekman from the committee on literature, to which was referred the bill from the Assembly entitled, "An act making appropriations for the support of common schools and for schools in orphan asylums and among the Indians, for the years one thousand eight hundred and fifty and one thousand eight hundred and fifty-two," reported in favor of the passage of the same with amendments and the title amended to read "An act making appropriations for the support of schools in orphan asylums and among the Indians, for the years 1851 and 1852, and for certain institutions of learning for the year 1850," the question being on agreeing to the report of the committee,

Mr. Mann moved to amend said report by inserting "one thousand dollars to the Utica academy."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Stone moved to amend said report by inserting \$2,000 to Madison university.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Babcock moved to amend said report by inserting, to the medical department of the Buffalo university the sum of two thousand dollars.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Geddes moved that said report be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act making appropriations for the support of government for the fiscal year commencing October 1, 1850," being upon its third reading,

Mr. Cross moved that said bill be recommitted to the committee on finance with instructions to strike out all the amendments to said bill made by the Senate.

Mr. Babcock moved to recommit said bill to the committee on finance with instructions to amend by inserting the amendments proposed by said committee in committee of the whole.

The President put the question whether the Senate would agree to the said motion of Mr. Babcock, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Mann	Mr. Owen
Mr. Beekman	Mr. Miller	Mr. Stone
Mr. Curtis		

7

**FOR THE NEGATIVE.**

Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Snyder
Mr. Carroll	Mr. Fox	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Crolius	Mr. Robinson	

23

Mr. Fox moved to amend the motion of Mr. Cross, by instructing the committee to strike out all appropriations for the support of foreign poor.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Babcock	Mr. Geddes	Mr. Schoonmaker
Mr. Carroll	Mr. Mann	Mr. Snyder
Mr. Curtis	Mr. Miller	Mr. Skinner
Mr. Dart	Mr. Noyes	Mr. Tuttle
Mr. Fox	Mr. Owen	

14

**FOR THE NEGATIVE.**

Mr. Beach	Mr. Crolius	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Stanton
Mr. Brown	Mr. Guinnip	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Colt	Mr. Morgan	Mr. Williams
Mr. Cross		

16

Mr. Dart moved to amend by instructing the committee to amend the bill so as to reduce the appropriation to the county of New-York

to \$5,000 and that the remaining \$5,000 be distributed equally among the remaining counties in said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes moved to amend the motion to recommit by instructing said committee to divide the \$5,000 taken from the city of New-York among the other counties according to their discretion.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Fox	Mr. Owen
Mr. Brown	Mr. Geddes	Mr. Schoonmaker
Mr. Colt	Mr. Mann	Mr. Skinner
Mr. Curtis	Mr. Miller	Mr. Tuttle
Mr. Dart		

13

#### FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Snyder
Mr. Beekman	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Crolius	Mr. Robinson	

17

The question recurring on the motion of Mr. Cross as amended, Mr. Guinnip moved that the county of Chemung be included as one of the counties in said division of \$5,000.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Guinnip	Mr. Skinner
Mr. Beekman	Mr. Owen	Mr. Stanton
Mr. Cross	Mr. Schoonmaker	Mr. Tuttle
Mr. Crolius	Mr. Snyder	Mr. Upham
Mr. Dimmick		

18

#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Dart	Mr. Miller
Mr. Brown	Mr. Fox	Mr. Noyes
Mr. Carroll	Mr. Geddes	Mr. Stone
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Crook	Mr. Mann	

14

Mr. Stone moved to instruct the committee to amend said bill by striking out the appropriations to all the counties in said bill except



the counties of New-York and that the \$5,000 be divided among said counties in lieu thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Owen	
Mr. Brown	Mr. Fox	Mr. Schoonmaker	
Mr. Colt	Mr. Geddes	Mr. Snyder	
Mr. Crook	Mr. Mann	Mr. Stone	
Mr. Crolius	Mr. Noyes	Mr. Tuttle	15

FOR THE NEGATIVE.

Mr. Beach	Mr. Dimmick	Mr. Stanton	
Mr. Carroll	Mr. Guinnip	Mr. Upham	
Mr. Cook	Mr. Johnson	Mr. Williams	
Mr. Cross	Mr. Skinner		11

Mr. Dart moved that the county of Franklin be included among the counties among which the \$5,000 is to be divided.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative. •

The President then put the question whether the Senate would agree to the said motion of Mr. Cross as amended, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Dimmick	Mr. Schoonmaker	
Mr. Dart	Mr. Geddes	Mr. Stone	6

FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Snyder	
Mr. Carroll	Mr. Curtis	Mr. Stanton	
Mr. Colt	Mr. Guinnip	Mr. Tuttle	
Mr. Cook	Mr. Johnson	Mr. Upham	
Mr. Crolius	Mr. Miller	Mr. Williams	
Mr. Crook	Mr. Noyes		17

Mr. Stanton moved to recommit said bill to the committee on finance with instructions to amend by restoring the bill to the original position in which it came from the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson	
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker	
Mr. Brown	Mr. Guinnip	Mr. Skinner	

Mr. Cross	Mr. Morgan	Mr. Stanton	
Mr. Crolius	Mr. Noyes	Mr. Upham	
Mr. Dimmick	Mr. Owen	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Curtis	Mr. Miller	
Mr. Carroll	Mr. Dart	Mr. Snyder	
Mr. Cook	Mr. Johnson	Mr. Stone	
Mr. Colt	Mr. Mann	Mr. Tuttle	
Mr. Crook			13

The bill from the Assembly entitled, "An act for the relief of Elihu C. Wright," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Robinson	
Mr. Beekman	Mr. Mann	Mr. Schoonmaker	
Mr. Carroll	Mr. Miller	Mr. Snyder	
Mr. Colt	Mr. Morgan	Mr. Stanton	
Mr. Cross	Mr. Noyes	Mr. Stone	
Mr. Crook	Mr. Owen	Mr. Tuttle	18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Geddes, and by unanimous consent,

*Resolved*, (if the Assembly concur,) That a select committee consisting of one member of the Senate and two members of the Assembly be appointed to examine the accounts of the treasury and banking department pursuant to section sixteen, chapter eight, part one, of title four of the Revised Statutes.

*Ordered*, That the Clerk deliver said resolution to the Assembly,

The bill from the Assembly entitled, "An act in relation to the penitentiary in the county of Onondaga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen	
Mr. Beekman	Mr. Fox	Mr. Schoonmaker	
Mr. Cook	Mr. Geddes	Mr. Snyder	
Mr. Colt	Mr. Guinnip	Mr. Stanton	
Mr. Cross	Mr. Johnson	Mr. Tuttle	
Mr. Crook	Mr. Mann	Mr. Upham	
Mr. Crolius	Mr. Miller	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to restrain short measure in the sale of dry goods," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Stanton
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Curtis		

22

**FOR THE NEGATIVE.**

Mr. Cook

1

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, without amendment the following concurrent resolution, to wit:

*Resolved*, (if the Assembly concur,) That a joint committee of one from the Senate and two from the Assembly, be appointed to examine into the accounts of the treasury and banking department, pursuant to section sixteen, chapter eight, part one, of title four of the Revised Statutes.

Mr. Babcock moved that the Senate now proceed to ballot for a member of said committee.

Mr. Curtis moved to amend the motion of Mr. Babcock, to postpone until half-past four, p. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then proceeded to ballot for a member of such committee, Messrs. Geddes and Fox acting as tellers, and on counting the ballots it appeared that Mr. Johnson received 18 votes, Mr. Dart received 10 votes, Mr. Fox received 2 votes, whereupon,

The President declared Mr. Johnson duly elected a member of the said committee on the part of the Senate.

Mr. Robinson moved that the bill for the preservation of the public health, be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly, entitled "An act for the preservation of the public health," was read a third time.

Mr. Babcock, by unanimous consent moved to recommit the bill to the committee on medical colleges to amend the same.

Mr. Geddes moved to amend by adding with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said motion of Mr. Babcock, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to incorporate the Holland Hook, and Elizabethtown Ferry Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Snyder
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Brown	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Williams
Mr. Crook	Mr. Noyes	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly entitled, "An act making appropriations for the support of government for the fiscal year commencing October 1, 1850," reported the same complete without amendment.

Mr. Carroll moved to amend by striking out the words ten thousand dollars for the support of foreign poor, in the city of New-York.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Geddes	Mr. Owen
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Mann	Mr. Skinner
Mr. Crook	Mr. Miller	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Tuttle
Mr. Fox		

16

#### FOR THE NEGATIVE.

Mr. Beach	Mr. Cross	Mr. Morgan
Mr. Beekman	Mr. Crolius	Mr. Robinson

Mr. Brandreth	Mr. Curtis	Mr. Schoonmaker	
Mr. Brown	Mr. Dimmick	Mr. Stanton	
Mr. Colt	Mr. Guinnip	Mr. Williams	15

Mr. Dimmick moved to amend the said report, by adding five thousand to the city of New-York, and five hundred to the county of Washington, for the support of the foreign poor.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The report of the committee was agreed to, and the said bill ordered to a third reading.

The bill from the Assembly entitled, "An act making appropriations for the support of government for the fiscal year commencing October 1, 1850," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Crolius	Mr. Robinson	
Mr. Beekman	Mr. Dart	Mr. Schoonmaker	
Mr. Carroll	Mr. Johnson	Mr. Snyder	
Mr. Cook	Mr. Miller	Mr. Skinner	
Mr. Colt	Mr. Morgan	Mr. Stone	
Mr. Cross	Mr. Noyes	Mr. Tuttle	
Mr. Crook	Mr. Owen	Mr. Upham	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

The Senate took a recess until 4 o'clock p. m.

4 O'CLOCK P. M.

The Senate again met,

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill from the Assembly entitled, "An act for the preservation of the public health," reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Snyder
Mr. Cook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Cross	Mr. Owen	Mr. Upham
Mr. Dimmick	Mr. Robinson	Mr. Williams

91

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same with the amendments therewith delivered.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly entitled "An act to authorise the comptroller to employ an additional clerk in his department," reported in favor of the passage of the same.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its third reading.

On motion of Mr. Fox,

The bill from the Assembly entitled, "An act to change the name of St. Ann's church in Florida, in the county of Montgomery," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Carroll	Mr. Geddes	Mr. Snyder
Mr. Cook	Mr. Guinnip	Mr. Skinner
Mr. Cross	Mr. Johnson	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Stone
Mr. Crolius	Mr. Miller	Mr. Tuttle
Mr. Curtis	Mr. Morgan	Mr. Upham
Mr. Dart	Mr. Owen	Mr. Williams

97

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Uriah Sherman and William Sherman," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Skinner
Mr. Beekman	Mr. Fox	Mr. Stanton

Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Cross	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Owen	Mr. Upham
Mr. Crolius	Mr. Schoonmaker	Mr. Williams
Mr. Curtis	Mr. Snyder	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to the Deerfield McAdam road."

Said amendments having been read,

Mr. Mann moved that the Senate concur in the first amendment.

The President put the question whether the Senate would concur in the first amendment of the Assembly as section three, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beekman	Mr. Geddes	Mr. Robinson
Mr. Carroll	Mr. Guinnip	Mr. Snyder
Mr. Crook	Mr. Johnson	Mr. Skinner
Mr. Crolius	Mr. Mann	Mr. Stone
Mr. Curtis	Mr. Miller	Mr. Tuttle
Mr. Dart	Mr. Morgan	Mr. Upham
Mr. Dimmick	Mr. Owen	Mr. Williams
		21

The President put the question whether the Senate would concur in the second amendment of the Assembly to said bill, and it was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Snyder	1
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**FOR THE NEGATIVE.**

Mr. Beach	Mr. Dimmick	Mr. Skinner
Mr. Beekman	Mr. Geddes	Mr. Stone
Mr. Carroll	Mr. Mann	Mr. Tuttle
Mr. Cook	Mr. Miller	Mr. Upham
Mr. Cross	Mr. Robinson	Mr. Williams
Mr. Crolius		16

The President put the question whether the Senate would concur in the third amendment of the Assembly to said bill, and it was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Beach	Mr. Curtis	Mr. Snyder
Mr. Beekman	Mr. Dimmick	Mr. Skinner

Mr. Carroll  
Mr. Cook  
Mr. Cross  
Mr. Crook  
Mr. Crolius

Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller

Mr. Stone  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Mann, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which Coffee Havens died seized to Joseph Prince," reported in favor of the passage of the same.

On motion of Mr. Carroll,

*Ordered*, That said bill do have its third reading.

The bill from the Assembly entitled, "An act declaratory of the jurisdiction and authority of the trustees of the village of Lyons over the public squares in said village and establishing such jurisdiction and authority," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Beekman  
Mr. Carroll  
Mr. Cook  
Mr. Cross  
Mr. Crolius  
Mr. Curtis

Mr. Dart  
Mr. Fox  
Mr. Geddes  
Mr. Guinnip  
Mr. Johnson  
Mr. Mann  
Mr. Miller

Mr. Robinson  
Mr. Snyder  
Mr. Skinner  
Mr. Stanton  
Mr. Tuttle  
Mr. Upham  
Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same,' passed March 31, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach  
Mr. Beekman  
Mr. Carroll

Mr. Dart  
Mr. Dimmick  
Mr. Fox

Mr. Snyder  
Mr. Skinner  
Mr. Stanton



Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Curtis		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act to authorise canal commissioners to pay James S. Voorhees, David Wilcox and John W. Pratt for the building of a bridge over the Oswego canal in the village of Fulton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Snyder
Mr. Cook	Mr. Geddes	Mr. Skinner
Mr. Cross	Mr. Guinnip	Mr. Stanton
Mr. Crook	Mr. Mann	Mr. Tuttle
Mr. Crolius	Mr. Miller	Mr. Upham
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Dart		

22

*Ordered*, That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act for the relief of Patrick Higgins," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Noyes
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Carroll	Mr. Dimmick	Mr. Snyder
Mr. Cook	Mr. Fox	Mr. Skinner
Mr. Colt	Mr. Geddes	Mr. Stanton
Mr. Cross	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Crolius	Mr. Miller	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Mann, and by unanimous consent,  
*Resolved*, That the Clerk pay out of the contingent fund to David Emory for his services at the beginning of the session, such sum as the President shall certify to be proper.

On motion of Mr. Curtis, and by unanimous consent,  
*Resolved*, That there be paid as part of the contingent expenses of the Senate, to James W. Whelpley, and George Carpenter, each the sum of two dollars per day for the time they have attended as messengers of the Senate, and three days before the session and three days after, for collecting books, &c., pursuant to the seventh section of title six, chapter seven of the first part of the Revised Statutes.

The bill from the Assembly entitled, "An act to establish free schools in the village of Cohoes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Robinson	
Mr. Carroll	Mr. Dimmick	Mr. Snyder	
Mr. Cook	Mr. Geddes	Mr. Skinner	
Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Cross	Mr. Mann	Mr. Tuttle	
Mr. Crook	Mr. Miller	Mr. Upham	
Mr. Crolius	Mr. Noyes	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly, entitled "An act for the relief of Henry G. Beach of the town of Lysander in the county of Oneida," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker	
Mr. Carroll	Mr. Fox	Mr. Snyder	
Mr. Colt	Mr. Guinnip	Mr. Skinner	
Mr. Cross	Mr. Johnson	Mr. Stanton	
Mr. Crook	Mr. Miller	Mr. Tuttle	
Mr. Crolius	Mr. Noyes	Mr. Upham	
Mr. Dart	Mr. Robinson	Mr. Williams	21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Mann from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act for the relief of William Wiggins and David R. Conger," reported in favor of the passage of the same.

On motion of Mr. Mann,

*Ordered*, That said bill do have its third reading.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act amending the several acts for the protection of emigrants arriving in the city of New-York, relative to the granting of licenses to emigrant boarding house keepers and emigrant runners," reported in favor of the passage of the same.

On motion of Mr. Williams,

*Ordered*, That the said bill do have its third reading.

Mr. Williams, from the committee on commerce and navigation, to which was referred the bill from the Assembly entitled, "An act to amend the act entitled, 'An act concerning passengers coming to the city of New-York,' passed May 5, 1847," also to amend the act entitled, "An act to amend certain acts concerning passengers coming to the city of New-York, passed April 11, 1849," reported in favor of the passage of the same.

On motion of Mr. Williams,

*Ordered*, That said bill do have its third reading.

Mr. Cross moved that the standing committees of the Senate be discharged from all petitions and other matter referred to them except where the committees desire to make a special report.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to William H. Bennett," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hart	Mr. Skinner
Mr. Carroll	Mr. Fox	Mr. Stanton
Mr. Cross	Mr. Guinnip	Mr. Stone
Mr. Crook	Mr. Johnson	Mr. Tuttle
Mr. Crolius	Mr. Mann	Mr. Upham
Mr. Curtis	Mr. Snyder	Mr. Williams
		18

#### FOR THE NEGATIVE.

Mr. Beach	Mr. Miller	Mr. Robinson
Mr. Cook		
		4

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which Coffee Havens died seized to Joseph Prince," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Snyder
Mr. Brandreth	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Cross	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Curtis		

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act for the relief of William Wiggins and David R. Conger," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Snyder
Mr. Babcock	Mr. Dimmick	Mr. Skinner
Mr. Beekman	Mr. Geddes	Mr. Stanton
Mr. Brandreth	Mr. Johnson	Mr. Stone
Mr. Carroll	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Robinson	

21

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the board of supervisors of Jefferson county to levy a tax on the town of Philadelphia in said county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Schoonmaker
Mr. Babcock	Mr. Crolius	Mr. Snyder
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Stanton

Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to extend the time for county treasurers to take the oath of office and file their official bond," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Crolius	Mr. Snyder
Mr. Brown	Mr. Curtis	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Noyes	Mr. Tuttle
Mr. Cross	Mr. Robinson	Mr. Upham
Mr. Crook	Mr. Schoonmaker	

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

Mr. Morgan from the committee on finance, to which was referred the bill from the Assembly entitled, "An act to provide for certain expenses of government," reported the same for the consideration of the Senate with amendments.

On motion of Mr. Morgan,

The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. Carroll, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered to a third reading.

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Snyder
Mr. Colt	Mr. Johnson	Mr. Skinner
Mr. Cross	Mr. Miller	Mr. Stanton
Mr. Crook	Mr. Morgan	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Curtis	Mr. Owen	

23

## FOR THE NEGATIVE.

Mr. Geddes

Mr. Mann

Mr. Stone

3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments, therewith delivered.

Mr. Stone offered for the consideration of the Senate, a resolution in the words following, to wit :

*Resolved*, That the sergeant-at-arms be and he is hereby requested to cause all such extra documents as members of the Senate are severally entitled to of the number ordered printed, and which shall not have been delivered to them at the time of the adjournment of the Legislature, to be safely packed, and forwarded and delivered to Senators at their respective residences, and that the necessary expenses incurred under this resolution be defrayed by the Clerk from the contingent fund of the Senate.

Mr. Geddes moved to strike "out sergeant-at-arms" and insert "Clerk of the Senate."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act in relation to the office of county judge of the county of Lewis," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman  
Mr. Brown  
Mr. Carroll  
Mr. Cross  
Mr. Crook  
Mr. Crolius  
Mr. Curtis

Mr. Dimmick  
Mr. Fox  
Mr. Geddes  
Mr. Johnson  
Mr. Mann  
Mr. Miller  
Mr. Noyes

Mr. Robinson  
Mr. Snyder  
Mr. Skinner  
Mr. Stanton  
Mr. Stone  
Mr. Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Stanton called up for consideration the bill making appropriations for the support of schools in orphan asylums and among the Indians for the year 1851 and 1852.

Pending the consideration,

The Senate took a recess until 7½ o'clock p. m.

[SENATE JOURNAL.]

7 1 O'CLOCK P. M.

The Senate again met,

Mr. Robinson from the committee on medical societies and colleges, to which was referred the bill from the Assembly entitled, "An act to amend an act passed April 27, 1847, authorising the incorporation of rural cemetery associations," reported in favor of the passage of the same.

On motion of Mr. Robinson,

*Ordered*, That said bill do have its third reading.

The bill from the Assembly entitled, "An act authorising the treasurer to employ an additional clerk in his department," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Snyder
Mr. Beekman	Mr. Geddes	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Mann	Mr. Tuttle
Mr. Cross	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Curtis	Mr. Schoonmaker	

20

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to enable certain commissioners to improve certain highways running through the Onondaga Indian reservation," was read the third time and passed, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Geddes	Mr. Snyder
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Curtis		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to provide for a final distribution of the funds held by the comptroller belonging to the creditors of insolvent banks and bankers," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Robinson
Mr. Babcock	Mr. Dart	Mr. Snyder
Mr. Beekman	Mr. Dimmick	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Tuttle
Mr. Colt	Mr. Miller	Mr. Upham
Mr. Crook	Mr. Morgan	Mr. Williams
Mr. Crolius	Mr. Noyes	

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act authorising the appointment of commissioners of deeds for the village of Williamsburgh," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Dimmick	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Crook	Mr. Robinson	Mr. Williams
Mr. Crolius		

25

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The bill from the Assembly, entitled "An act to authorise the Adirondac iron and steel company to take the conveyance of certain real estate towards its capital stock, and to authorise the interest of the infant owners therein to be sold and paid for in stock, in such company secured by mortgages upon the shares so sold," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Dimmick	Mr. Skinner



Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Colt	Mr. Mann	Mr. Stone
Mr. Cross	Mr. Morgan	Mr. Tuttle
Mr. Crook	Mr. Noyes	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams
Mr. Curtis	Mr. Schoonmaker	

23

## FOR THE NEGATIVE.

Mr. Geddes

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 6, 1847, also to amend certain acts concerning passengers coming to New-York, passed April 11, 1849," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Guinnip	Mr. Schoonmaker
Mr. Beekman	Mr. Johnson	Mr. Snyder
Mr. Brown	Mr. Mann	Mr. Skinner
Mr. Crook	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Upham
Mr. Dimmick	Mr. Robinson	Mr. Williams
Mr. Geddes		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies," was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Johnson	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Curtis	Mr. Miller	Mr. Tuttle
Mr. Dart	Mr. Morgan	Mr. Upham
Mr. Fox	Mr. Noyes	Mr. Williams

15

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cross	Mr. Guinnip
Mr. Beekman	Mr. Crook	Mr. Robinson

Mr. Brandreth	Mr. Crolius	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Cook	Mr. Geddes	Mr. Stone
Mr. Colt		

16

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that they do non-concur therein.

The bill from the Assembly entitled, "An act amending the several acts for the protection of emigrants arriving in the city of New-York," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Cross	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Crolius		

10

## FOR THE NEGATIVE

Mr. Brandreth	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Guinnip	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Morgan	Mr. Stone
Mr. Colt	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Schoonmaker	

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Morgan from the committee on finance, to which was referred the bill entitled, "An act to provide for the completion of the geological survey of the State," reported in favor of the passage of the same.

On motion of Mr. Morgan,

*Ordered*, That said bill do have its third reading.

Mr. Morgan from the committee on finance, to which was referred the bill entitled, "An act making an appropriation for the western house of refuge," reported in favor of the passage of the same, and said bill was then referred to the committee on state prisons to report complete.

Mr. Johnson moved that the bill for the relief of Platt Williams, be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the title of Henry Rankin to real estate conveyed to him by Edward M. Garner," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was

referred the bill entitled, "An act for the relief of Fanny Battjer widow of John Henry Battjer, late of the town of New Utrecht in the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to confirm the official acts of Wyleys Cady as commissioner of highways of Pittsfield, Otsego county," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to enable the representatives of Ellen O'Brien, deceased, to take and hold the lands whereof Thomas Reeves deceased died seized," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act to confirm the official acts of Joseph Sillman as justice of the peace of the town of Watson county of Lewis," reported in favor of the passage of the same.

On motion of Mr. Babcock,

*Ordered*, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill from the Assembly entitled, "An act authorising Edward J. Cox to change his name," reported adverse to the passage of the same.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

Mr. Mann moved that the bill from the Assembly for the relief of the representatives of Maria Miller, be ordered to a third reading.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill from the Assembly entitled, "An act authorising the Wool Growers' manufacturing company to increase its capital," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Babcock	Mr. Fox	Mr. Snyder
Mr. Beekman	Mr. Guinnip	Mr. Skinner
Mr. Brandreth	Mr. Johnson	Mr. Stanton
Mr. Cross	Mr. Mann	Mr. Stone

Mr. Crook  
Mr. Crolius  
Mr. Curtis

Mr. Morgan  
Mr. Noyes  
Mr. Robinson

Mr. Tuttle  
Mr Upham  
Mr. Williams 24

## FOR THE NEGATIVE.

Mr. Cook

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Brandreth, by unanimous consent, introduced the bill entitled, "An act for the repeal of the charter of the Croton turnpike company," which was read the first time, and by unanimous consent was also read the second time.

*Ordered*, That the said bill do have its third reading.

Mr. Geddes moved that the order of third reading of bills be laid on the table.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Geddes moved that all unfinished business be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Geddes moved that all unfinished general business be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Geddes moved that after 11 o'clock this evening the Senate discontinue the third reading of bills.

Mr. Johnson moved to strike out 11 o'clock and insert 10 o'clock this evening.

Mr. Babcock moved to amend said amendment by striking out 10 o'clock this evening and insert 10 o'clock to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Miller moved to amend the said amendment by inserting 11 o'clock to-night in lieu of 10 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Mr. Stone offered for the consideration of the Senate, a resolution in the words following, to wit:

*Whereas*, The laws of this State relating to common schools have undergone frequent and radical changes, whereby the duties of officers of school districts are rendered intricate and often impossible of performance without the aid of legal advice; and whereas the said laws can only be understood by searching through numerous volumes of Statutes, decisions, reports, &c. Therefore,

*Resolved*, That a committee of three be appointed, with power to sit during the recess of the Legislature, and whose duty it shall be to meet at the office of the secretary of State, and with his assistance, to revise, digest and embody the said common school laws, and to make such alterations therein and additions thereto as to them shall seem necessary; and that the said committee report to the next session of the Legislature their proceedings under this resolution.

Mr. Geddes moved that said resolution be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Crolius,

*Resolved*, That the Clerk pay out of the contingent fund, to Mrs. S. Griffin for two days services in cleaning up the Senate Chamber after the meeting of the electoral college in the fall of 1848, the sum of three dollars.

On motion of Mr. Guinnip,

The Senate proceeded to the consideration of the resolution heretofore offered this morning in relation to purchasing the daguerreotype likenesses of the Senators of the last and present Senate, and the same having been amended to read,

*Resolved*, That the Clerk of the Senate be directed to purchase for the Senate Chamber, of Mr. Gavit, daguerreotypist, his likenesses of the Senate of 1848 and 1849, if it can be done at a price in his opinion reasonable, not to exceed two hundred and fifty dollars and pay for the same out of the contingent fund of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Guinnip	Mr. Owen
Mr. Brandreth	Mr. Johnson	Mr. Robinson
Mr. Brown	Mr. Miller	Mr. Skinner
Mr. Cross	Mr. Noyes	Mr. Williams
Mr. Curtis		

13

#### FOR THE NEGATIVE.

Mr. Carroll	Mr. Dimmick	Mr. Stanton
Mr. Cook	Mr. Fox	Mr. Stone
Mr. Colt	Mr. Geddes	Mr. Tuttle
Mr. Crook	Mr. Schoonmaker	Mr. Upham
Mr. Crolius	Mr. Snyder	

14

On motion of Mr. Owen,

*Resolved*, That the Clerk pay out of the contingent fund to George A. Loomis, assistant door-keeper of the Senate, such sum as shall make his per diem and mileage equal to members of the Senate to be certified by the President, being his regular compensation.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Schoonmaker,

*Resolved*, That the Clerk of the Senate be requested to prepare during the recess of the Legislature a digest of claims presented to the Legislature from 1843 to the present time, specifying the name of the petitioners, nature of the relief sought and the reference and action on it, prepared in a manner similar to the one presented to the Assembly in 1844, and that the usual number of copies of such digest, when prepared, be printed for the use of the next Legislature.

Mr. Babcock moved that the Senate proceed to the consideration of the bill entitled, "An act for the appointment of commissioners to revise the Statutes, and to reduce the laws of this state to a systematic code."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

*Resolved*, (if the Assembly concur,) That on and after to-morrow the Senate and Assembly will proceed to consider the reports of the commissioners upon practice and pleadings, and will continue the same from day to day, to the exclusion of all other legislative business until the codes of civil and criminal procedure are disposed of.

The consideration of the said resolution having been objected to at this time, it was laid on the table.

Mr. Geddes moved that the order of business of motions, resolutions and notices be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crook	Mr. Geddes
Mr. Carroll	Mr. Crolius	Mr. Mann
Mr. Cook	Mr. Dimmick	Mr. Miller
Mr. Cross	Mr. Fox	Mr. Skianer

12

#### FOR THE NEGATIVE.

Mr. Babcock	Mr. Johnson	Mr. Stanton
Mr. Beekman	Mr. Noyes	Mr. Stone
Mr. Brown	Mr. Owen	Mr. Tuttle
Mr. Colt	Mr. Robinson	Mr. Upham
Mr. Curtis	Mr. Schoonmaker	Mr. Williams
Mr. Dart	Mr. Snyder	

17

On motion of Mr. Brandreth,

*Resolved*, That the Senate do now proceed to the third reading of bills.

Mr. Johnson moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The bill from the Assembly entitled, "An act making an appropriation for the western house of Refuge," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Robinson
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Skinner
Mr. Brown	Mr. Mann	Mr. Stanton
Mr. Cook	Mr. Miller	Mr. Stone
Mr. Colt	Mr. Morgan	Mr. Upham
Mr. Cross	Mr. Owen	Mr. Williams
Mr. Crolius		

22

FOR THE NEGATIVE.

Mr. Carroll	Mr. Fox	Mr. Noyes
Mr. Crook	Mr. Guinnip	Mr. Snyder
Mr. Curtis	Mr. Johnson	Mr. Tuttle

9

*Ordered,* That the Clerk deliver said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to explain and extend the powers and duties of the governors of the alms house of the city and county of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Brandreth	Mr. Dimmick	Mr. Robinson
Mr. Cook	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Guinnip	Mr. Tuttle
Mr. Cross	Mr. Mann	Mr. Upham
Mr. Crolius	Mr. Miller	Mr. Williams
Mr. Dart	Mr. Noyes	

17

FOR THE NEGATIVE.

Mr. Crook

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to enable the representatives of Ellen O'Brien deceased, to take and hold the lands whereof Thomas Reeves deceased died seized," was read a third time and passed, a majority of all the members elected to the Senate voting in favor of the passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Fox	Mr. Schoonmaker
Mr. Brandreth	Mr. Geddes	Mr. Snyder
Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Morgan	Mr. Stone
Mr. Cross	Mr. Noyes	Mr. Tuttle
Mr. Crook	Mr. Owen	Mr. Upham
Mr. Crolius	Mr. Robinson	Mr. Williams

24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act for the repeal of the charter of the Croton turnpike company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Brandreth	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Stanton
Mr. Cross	Mr. Mann	Mr. Stone
Mr. Crook	Mr. Miller	Mr. Tuttle
Mr. Crolius	Mr. Noyes	Mr. Upham
Mr. Dimmick	Mr. Owen	Mr. Williams
Mr. Fox	Mr. Robinson	

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Morgan moved that the bill from the Assembly entitled, "An act to provide for the completion of the geological survey of the State," be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence entitled, "An act to discharge Thomas Pester from imprisonment," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Johnson,

Said bill was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :



## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Morgan
Mr. Beekman	Mr. Dimmick	Mr. Noyes
Mr. Brandreth	Mr. Fox	Mr. Robinson
Mr. Cook	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Stanton
Mr. Cross	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Upham

21

## FOR THE NEGATIVE.

Mr. Mann	1
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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to confirm the official acts of Wylis Cady as a commissioner of highways of Pittsfield, Otsego county," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Owen
Mr. Beekman	Mr. Fox	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Upham

18

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Baldwinsville in the county of Onondaga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Skinner
Mr. Crook	Mr. Guinnip	Mr. Stone
Mr. Crolius	Mr. Mann	Mr. Tuttle
Mr. Curtis	Mr. Miller	Mr. Upham
Mr. Dart	Mr. Noyes	Mr. Williams

18

## FOR THE NEGATIVE.

Mr. Johnson

1

*Ordered,* That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend 'An act to authorise the canal board to assume in behalf of the State the Dansville slip and basin,' passed April 4, 1850," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dimmick	Mr. Owen	
Mr. Carroll	Mr. Fox	Mr. Robinson	
Mr. Colt	Mr. Geddes	Mr. Skinner	
Mr. Crook	Mr. Johnson	Mr. Stone	
Mr. Crolius	Mr. Mann	Mr. Tuttle	
Mr. Curtis	Mr. Miller	Mr. Upham	
Mr. Dart	Mr. Noyes	Mr. Williams	21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the board of education of the city of Brooklyn to sell a certain school lot," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Dart	Mr. Robinson	
Mr. Carroll	Mr. Fox	Mr. Schoonmaker	
Mr. Cook	Mr. Geddes	Mr. Skinner	
Mr. Colt	Mr. Johnson	Mr. Stanton	
Mr. Cross	Mr. Mann	Mr. Stone	
Mr. Crook	Mr. Miller	Mr. Tuttle	
Mr. Crolius	Mr. Noyes	Mr. Upham	
Mr. Curtis	Mr. Owen	Mr. Williams	24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill from the Assembly entitled, "An act for the relief of Fanny Battjer widow of John Henry Battjer, late of the town of New Utrecht, in the county of Kings, deceased," was read the third

time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Curtis	Mr. Noyes
Mr. Brown	Mr. Dart	Mr. Owen
Mr. Carroll	Mr. Fox	Mr. Schoonmaker
Mr. Cook	Mr. Geddes	Mr. Skinner
Mr. Colt	Mr. Guinnip	Mr. Stone
Mr. Cross	Mr. Johnson	Mr. Upham
Mr. Crook	Mr. Mann	Mr. Williams
Mr. Crolius	Mr. Miller	

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Johnson, from the committee on claims, to which was referred a bill from the Assembly entitled, "An act authorising the appointment of commissioners to appraise the damages of William George Barnhart, Jacob Barnhart, George Robertson, George Gillingier and George Snetzinger in consequence of their being dispossessed of certain lands by the State," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The bill from the Assembly entitled "An act for the relief of Platt Williams," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Dart	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Skinner
Mr. Carroll	Mr. Owen	Mr. Upham
Mr. Cross		

10

FOR THE NEGATIVE.

Mr. Beach	Mr. Crook	Mr. Miller
Mr. Cook	Mr. Crolius	Mr. Stone
Mr. Colt	Mr. Dimmick	

8

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate do non-concur therein.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the bill entitled, "An act unaking appropriations for the support of government," with the amendments therewith delivered.

Said amendments having been read,

The President then put the question whether the Senate would concur in the amendments of the Assembly to said bill, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Beekman	Mr. Guinnip	Mr. Schoonmaker
Mr. Brown	Mr. Johnson	Mr. Skinner
Mr. Cook	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Noyes	Mr. Upham
Mr. Crolius	Mr. Owen	Mr. Williams
Mr. Dimmick		

19

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Mann	Mr. Stone	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The bill from the Assembly entitled, "An act to confirm the official acts of Joseph Sillman as justice of the peace of the town of Watson, county of Lewis," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Mann	Mr. Skinner
Mr. Beekman	Mr. Miller	Mr. Stanton
Mr. Brown	Mr. Morgan	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Upham
Mr. Guinnip	Mr. Robinson	Mr. Williams
Mr. Johnson		

19

## FOR THE NEGATIVE.

Mr. Colt	Mr. Curtis	Mr. Fox	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act for the relief of the legal representatives of Mrs. Maria Miller," was read a third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Mann	Mr. Stanton
Mr. Brown	Mr. Morgan	Mr. Stone
Mr. Crolius	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Robinson	Mr. Upham
Mr. Guinnip	Mr. Skinner	

14

## FOR THE NEGATIVE.

Mr. Beach	Mr. Johnson	Mr. Owen
Mr. Babcock	Mr. Miller	Mr. Williams
Mr. Colt		

7

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate do non-concur therein.

The bill from the Assembly entitled, "An act to confirm the title of Henry Rankin in certain real estate conveyed to him by Edward M. Garner," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Robinson
Mr. Babcock	Mr. Fox	Mr. Snyder
Mr. Brown	Mr. Johnson	Mr. Skinner
Mr. Carroll	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Stone
Mr. Crolius	Mr. Morgan	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Dart	Mr. Owen	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act passed April 27, 1847, authorising the incorporation of rural cemetery associations," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Fox	Mr. Robinson
Mr. Brown	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Mann	Mr. Skinner
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly, entitled "An act to provide for the completion of the geological survey of the State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected

to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Snyder
Mr. Brandreth	Mr. Mann	Mr. Skinner
Mr. Colt	Mr. Miller	Mr. Stanton
Mr. Crolius	Mr. Morgan	Mr. Stone
Mr. Dart	Mr. Noyes	Mr. Tuttle
Mr. Dimmick	Mr. Owen	Mr. Upham
Mr. Fox	Mr. Robinson	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Babcock

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to incorporate the Oswego savings institution," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dimmick	Mr. Schoonmaker
Mr. Beekman	Mr. Fox	Mr. Skinner
Mr. Brandreth	Mr. Guinnip	Mr. Stanton
Mr. Cook	Mr. Johnson	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Owen	Mr. Williams
Mr. Curtis	Mr. Robinson	

22

FOR THE NEGATIVE.

Mr. Mann

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Babcock,

The bill from the Assembly entitled, "An act to amend the eighth title of chapter eight, of part three of the Revised Statutes, entitled 'of proceedings for the collection of demands against ships and vessels,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Noyes
Mr. Babcock	Mr. Dimmick	Mr. Schoonmaker

Mr. Beekman	Mr. Fox	Mr. Snyder
Mr. Brandreth	Mr. Geddes	Mr. Stanton
Mr. Carroll	Mr. Guinnip	Mr. Stone
Mr. Cross	Mr. Johnson	Mr. Tuttle
Mr. Crook	Mr. Mann	Mr. Upham
Mr. Curtis	Mr. Miller	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Crolius 1

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to free schools in the city of Auburn."

The President put the question whether the Senate would concur in the said amendments, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Dart	Mr. Owen
Mr. Babcock	Mr. Dimmick	Mr. Robinson
Mr. Beekman	Mr. Geddes	Mr. Schoonmaker
Mr. Brandreth	Mr. Guinnip	Mr. Snyder
Mr. Carroll	Mr. Johnson	Mr. Stanton
Mr. Cook	Mr. Mann	Mr. Stone
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Crook	Mr. Morgan	Mr. Upham
Mr. Crolius	Mr. Noyes	Mr. Williams
Mr. Curtis		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Babcock,

The bill from the Assembly entitled, "An act to secure the payment of the wages of laborers employed upon the canals and other public works of this State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Noyes
Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Robinson
Mr. Carroll	Mr. Geddes	Mr. Schoonmaker
Mr. Cook	Mr. Guinnip	Mr. Stanton

Mr. Colt	Mr. Johnson	Mr. Stone
Mr. Cross	Mr. Mann	Mr. Tuttle
Mr. Crook	Mr. Miller	Mr. Williams
Mr. Crolius	Mr. Morgan	26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Dart,

The bill from the Assembly entitled, "An act authorising the appointment of commissioners to appraise the damages of William George Barnhart, Jacob Barnhart, George Robertson, George Gilling and George Snetzinger in consequence of their being dispossessed of certain lands by the State," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brown	Mr. Fox	Mr. Snyder
Mr. Cross	Mr. Guinnip	Mr. Skinner
Mr. Crook	Mr. Johnson	Mr. Stanton
Mr. Curtis	Mr. Noyes	Mr. Tuttle
Mr. Dart	Mr. Owen	Mr. Williams
Mr. Dimmick	Mr. Robinson	17

## FOR THE NEGATIVE.

Mr. Babcock	Mr. Cook	Mr. Schoonmaker
Mr. Beekman	Mr. Miller	5

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Gravesend and Coney Island bridge and road company,' passed March 22, 1823," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Cross	Mr. Noyes
Mr. Babcock	Mr. Curtis	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Robinson
Mr. Brown	Mr. Dimmick	Mr. Schoonmaker
Mr. Carroll	Mr. Johnson	Mr. Stone
Mr. Cook	Mr. Mann	Mr. Tuttle
Mr. Colt	Mr. Miller	Mr. Upham
		21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.



Mr. Geddes moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Curtis	Mr. Morgan
Mr. Beekman	Mr. Geddes	Mr. Noyes
Mr. Brown	Mr. Guinnip	Mr. Schoonmaker
Mr. Carroll	Mr. Mann	Mr. Stone
Mr. Crook		

13

FOR THE NEGATIVE.

Mr. Babcock	Mr. Dimmick	Mr. Snyder
Mr. Cook	Mr. Fox	Mr. Stanton
Mr. Colt	Mr. Johnson	Mr. Tuttle
Mr. Cross	Mr. Miller	Mr. Upham
Mr. Crolius	Mr. Owen	Mr. Williams
Mr. Dart	Mr. Robinson	

17

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act for the appointment of commissioners to revise the Statutes and to reduce the laws of this State to a systematic code," and after some time spent thereon, Mr. Stanton, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Unanimous consent was asked that said bill do now have its third reading, and objections being made,

Mr. Babcock moved to suspend the rules to enable the bill entitled, "An act for the appointment of commissioners to revise the Statutes and to reduce the laws of this State to a systematic code," to be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Cross	Mr. Owen
Mr. Beekman	Mr. Dart	Mr. Schoonmaker
Mr. Brown	Mr. Dimmick	Mr. Skinner
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Colt	Mr. Miller	

14

FOR THE NEGATIVE.

Mr. Carroll	Mr. Guinnip	Mr. Tuttle
Mr. Curtis	Mr. Noyes	Mr. Williams
Mr. Fox		

7

Said bill having been read the third time was lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Beach	Mr. Crolius	Mr. Morgan
Mr. Babcock	Mr. Dart	Mr. Owen
Mr. Beekman	Mr. Dimmick	Mr. Schoonmaker
Mr. Cook	Mr. Johnson	Mr. Upham
Mr. Colt	Mr. Miller	14

## FOR THE NEGATIVE.

Mr. Brown	Mr. Geddes	Mr. Skinner
Mr. Carroll	Mr. Guinnip	Mr. Stanton
Mr. Cross	Mr. Noyes	Mr. Tuttle
Mr. Curtis	Mr. Robinson	Mr. Williams
Mr. Fox	Mr. Snyder	14

On motion of Mr. Geddes,

The Senate proceeded to the consideration of the resolutions from the Assembly, in the words following, to wit :

*Resolved*, (if the Senate concur,) That this legislature will adjourn on Wednesday the 10th day of April next, at 12, m.

Mr. Geddes moved to amend the said resolution by striking out all after the word *Resolved* and inserting the words, if the Assembly concur, that the legislature will adjourn at one o'clock this day, (Thursday.)

Mr. Dart moved to amend by striking out one o'clock and inserting 12 o'clock m, on Thursday.

The President put the question whether the Senate would agree to the said amendment of Mr. Dart, and it was decided in the negative.

The President put the question whether the Senate would agree to said resolution of Mr. Geddes, and it was decided in the affirmative.

On motion of Mr. Mann,

The Senate then resolved itself into a committee of the whole on the bill entitled, "An act to repeal the law appointing commissioners of the code."

Mr. Cross, from the committee of the whole, reported in favor of the passage of the same, which report was agreed to, and said bill ordered to a third reading.

The bill entitled, "An act to repeal the law appointing commissioners of the code," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Babcock	Mr. Dart	Mr. Schoonmaker
Mr. Beekman	Mr. Geddes	Mr. Snyder

Mr. Carroll	Mr. Guinnip	Mr. Skinner
Mr. Cook	Mr. Mann	Mr. Stanton
Mr. Colt	Mr. Miller	Mr. Tuttle
Mr. Cross	Mr. Morgan	Mr. Upham
Mr. Crook	Mr. Noyes	Mr. Williams
Mr. Crolius	Mr. Owen	23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Mann,

*Resolved*, That the Clerk of the Senate pay to J. N. T. Tucker and W. E. Mills, deputy clerks of the Senate, the sum of one hundred dollars each out of the contingent fund of the Senate, in compensation for extra services in writing for the Senate, during the session of 1850.

Mr. Cross, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act incorporating the village of Dansville," reported the same complete.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Mann moved that said bill be referred to the standing committee on executive laws to report complete.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly sent for concurrence, a resolution in the words following, to wit :

*Resolved*, (if the Senate concur,) That the hour of adjournment be extended to two o'clock.

Pending the resolution,

The President announced that the hour had arrived which had been fixed for the final adjournment of the legislature.

*Ordered*, That Messrs. Morgan and Mann be a committee to wait on the Governor and inform him that the Senate are ready to adjourn.

*Ordered*, That Messrs. Geddes and Dart be a committee to wait on the Assembly and inform them that the Senate are ready to adjourn.

The said committees reported that they had severally discharged the duties assigned to them.

The Assembly returned the following bills :

"An act relative to the public health in the city of New-York."

"An act to amend the Revised Statutes relating to grants of land under water."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to the following bills :

"An act incorporating the village of Little Falls by the name of Rockton."

"An act to authorize a loan to the county of Putnam."

"An act for the relief of William Sherman and Urial Sherman."

"An act relative to the location of a gate on the Lockport and Warren's corners plank road."

"An act to provide for the payment of canal damages to Elias Stilwell."

"An act to provide for the payment of canal damages to Henry P. Voorhees."

"An act to amend 'An act relating to common schools in the village of Medina,' passed April 9, 1849."

"An act authorizing the common council of the city of New York to regulate the salary of policemen in said city."

"An act to provide for the settlement of the accounts of testamentary trustees."

"An act for the preservation of Washington's head quarters."

"An act to incorporate the Manhattan savings institution."

"An act for the relief of Jacob C. Anthony and Robert Fero."

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed April 10, 1849."

"An act to authorize the president, directors and company of the New Baltimore and Rensselaerville turnpike road, to sell and convey their present turnpike road."

"An act to incorporate the fire department of the village of Wassertown."

"An act to improve the quality of the salt manufactured in the county of Onondaga, and to protect the purchasers of the same."

"An act to incorporate the emigrant industrial savings bank."

"An act to incorporate the Odd Fellows' Hall Association of the city of Buffalo."

"An act to provide for the enforcement of judgment liens against the real estate and chattels real of deceased judgment debtors."

"An act for the relief of the president, directors and company of the fourth Great Western Turnpike Road Company."

"An act relating to the compensation of Brigade inspectors in the city and county of New York."

"An act to provide for the appraisal and payment of canal damages to Lewis Benedict."

"An act to authorize James T. Blandford to establish and continue a ferry across the Hudson river from Sing Sing to the opposite shore, in the county of Rockland."

"An act to authorize the canal board to hear and determine the claims of William H. Williams."

"An act to incorporate the California Inland Steam Navigation Company."

"An act to amend the charter of the village of Rome."

"An act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849."

"An act in relation to free schools in the city of Troy, and district number ten, in the town of Lansingburgh."

"An act to facilitate the construction of the Hudson river railroad."

"An act making an appropriation to the Erie Canal enlargement."

"An act for the relief of William Sherman and Uriah Sherman."

"An act in relation to the canal debt, and the maintenance of the canals for the fiscal year, commencing October 1, 1850."

"An act to settle the account of Christopher Adams, late superintendent of repairs on the Erie and Champlain Canals, for moneys deposited by him in the Canal Bank of Albany."

"An act for the relief of the heirs of John Fort."

"An act to provide for the appraisal and payment of canal damages to William H. Bennet."

"An act to amend an act entitled 'An act making an appropriation for the support in part of certain incorporated Orphan Asylums in this State,' passed April 11, 1849."

"An act to authorize the appraisal and payment of canal damages to George Manchester."

"An act making appropriations for the support of government for the fiscal year, commencing October 1, 1850."

"An act to extend the time for county treasurers to take the oath of office, and file their official bond."

"An act to regulate the free schools in the city of Auburn."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly, informing that they had passed, without amendment, the following bills:

"An act to pay Alexander Hubbard certain rewards under a proclamation of Governor Young."

"An act to provide for the promotion of the public health, by draining certain lands on the Indian river in the towns of Theresa and Rossie."

"An act appropriating certain moneys received for premium on loans."

"An act to provide for the final settlement of the loans of 1792 and 1808 by a transfer to the United States deposit fund, and to abolish the office of loan commissioners,"

"An act to repeal sections two and three of an act in relation to the Oswego Canal, passed April 5, 1849."

"An act authorizing the mayor, aldermen and commonalty of the city of New York to raise \$75,000 by loan, and to fund the same for the erection of a work house."

"An act to consolidate school districts number one, and number eight, in the town of Herkimer, and authorise them to borrow money."

"An act to authorize the commissioners of highways of the town of Brownville to borrow money."

"An act to authorize the cemetery of the Evergreens to hold real estate in the county of Queens."

"An act authorising and requiring the canal commissioners to repair the public highway across the foot of Seneca Lake, and to protect the banks of the Cayuga and Seneca Canal against injury from the water of the lake."

"An act to incorporate the South Brooklyn Savings Institution."

"An act to amend the act entitled 'An act to provide for the incorporation and regulation of Telegraph Companies,' passed April 12, 1848."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the state."

"An act to repeal the law appointing commissioners on the code."

"An act in relation to the State Lunatic asylum."

"An act prescribing the powers and duties of the State Engineer."

"An act to amend the act 'to authorize the establishment of the House of Refuge for juvenile delinquents in Western New York,' passed May 8, 1846."

"An act authorizing the comptroller to invest monies belonging to the bank fund."

"An act to authorise the Merchants Exchange Company in the city of New York to reduce its capital stock."

"An act to authorize the Fort Plain and Cooperstown plank road company to borrow money and to increase their number of directors."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message was received from the Assembly informing that they had receded from their amendments to, and passed without amendment the bill entitled, "An act to pay Thomas Marvin for the loss of a horse while acting in obedience to the direction of the sheriff of Delaware county."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had passed, without amendment the bill entitled, "An act prescribing the duties of the State engineer and surveyor and the engineers employed on the public works."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Governor was received and read in the words following, to wit:

STATE OF NEW-YORK,  
EXECUTIVE DEPARTMENT, }  
*Albany, April 10, 1850.* }

*To the Senate:*

I have this day approved and signed the following bills:

"An act authorising a loan to the town of Alfred in the county of Allegany, and to authorise the town of Alfred to reloan the same money to the trustees of the Alfred Academy."

"An act to pay Alexander Hubbard certain rewards under proclamation of Governor Young."

"An act to provide for the settlement of the accounts of testamentary trustees."

"An act to provide for the promotion of the public health, by draining certain swamp lands on the Indian River in the towns of Theresa and Rossie."

"An act to authorise the sale of certain arsenals and other property, and to provide for the safe keeping of the arms and property belonging to the State."

"An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and Territories."

"An act to authorise the transportation of live stock on railroads free from canal tolls."

"An act authorising the canal board to abandon the Fort Miller dam, and the use of the side cut at Fort Miller as an appendage to the Champlain Canal."

"An act to incorporate the New York and Virginia Steam Ship Company."

"An act relative to the public health."

"An act to amend the Revised Statutes relating to grants of land under water."

"An act to provide for the final settlement of the loans of one thousand seven hundred and ninety-two and one thousand eight hundred and eight, by a transfer to the United States deposit fund, and to abolish the office of loan commissioner."

"An act appropriating certain moneys received for premiums on loans."

"An act to authorise the Merchants' Exchange Company in the city of New York to reduce its capital stock."

"An act to pay Thomas Marvin for the loss of a horse while acting in obedience to the directions of the Sheriff of Delaware county."

"An act to authorise the Fort Plain and Cooperstown plank road company to borrow money and to increase their number of directors."

"An act to repeal sections two and three of an act in relation to the Oswego Canal, passed April 5, 1849."

"An act authorising the comptroller to invest certain moneys belonging to the bank fund."

"An act to authorise the mayor, aldermen and commonalty of the city of New York to raise seventy-five thousand dollars by loan, and to fund the same for the erection of a work house."

"An act in relation to the Deerfield McAdam road."

"An act to authorise the commissioners of highways of the town of Brownville to borrow money."

"An act to consolidate school districts number one and number eight in the town of Herkimer, and authorise them to borrow money."

"An act to authorise the cemetery of Evergreens to hold real estate in the county of Queens."

"An act authorising and requiring the canal commissioners to repair the public highway across the foot of Seneca Lake, and to protect the banks of Cayuga and Seneca Canals against injury from the waters of said lake."

"An act to incorporate the South Brooklyn Savings Institution."

"An act to regulate the free schools in the city of Auburn."

"An act to amend the act entitled 'An act to provide for the incorporation and regulation of Telegraph Companies,' passed April 12, 1848."

"An act to submit to the people at the next annual election the question of the repeal of the act establishing free schools throughout the State."

"An act in relation to the State Lunatic Asylum."

"An act to repeal the law appointing commissioners of the code."

"An act prescribing the powers and duties of the State engineer and surveyor, and of the engineers employed on the public works."

"An act to amend the 'Act to authorise the establishment of the House of Refuge for juvenile delinquents in Western New York.' passed May 8, 1846."

#### HAMILTON FISH.

Mr. Morgan, from the committee to wait on the Governor, reported that the committee had discharged the duty assigned to them, and that the Governor was pleased to say that he had no official communication to make.

On motion of Mr. Schoonmaker,

*Resolved*, That the thanks of the Senate be presented to the several reporters, representatives of the public press, for the faithful and able manner in which they have discharged their several duties.

On motion of Mr. Snyder,

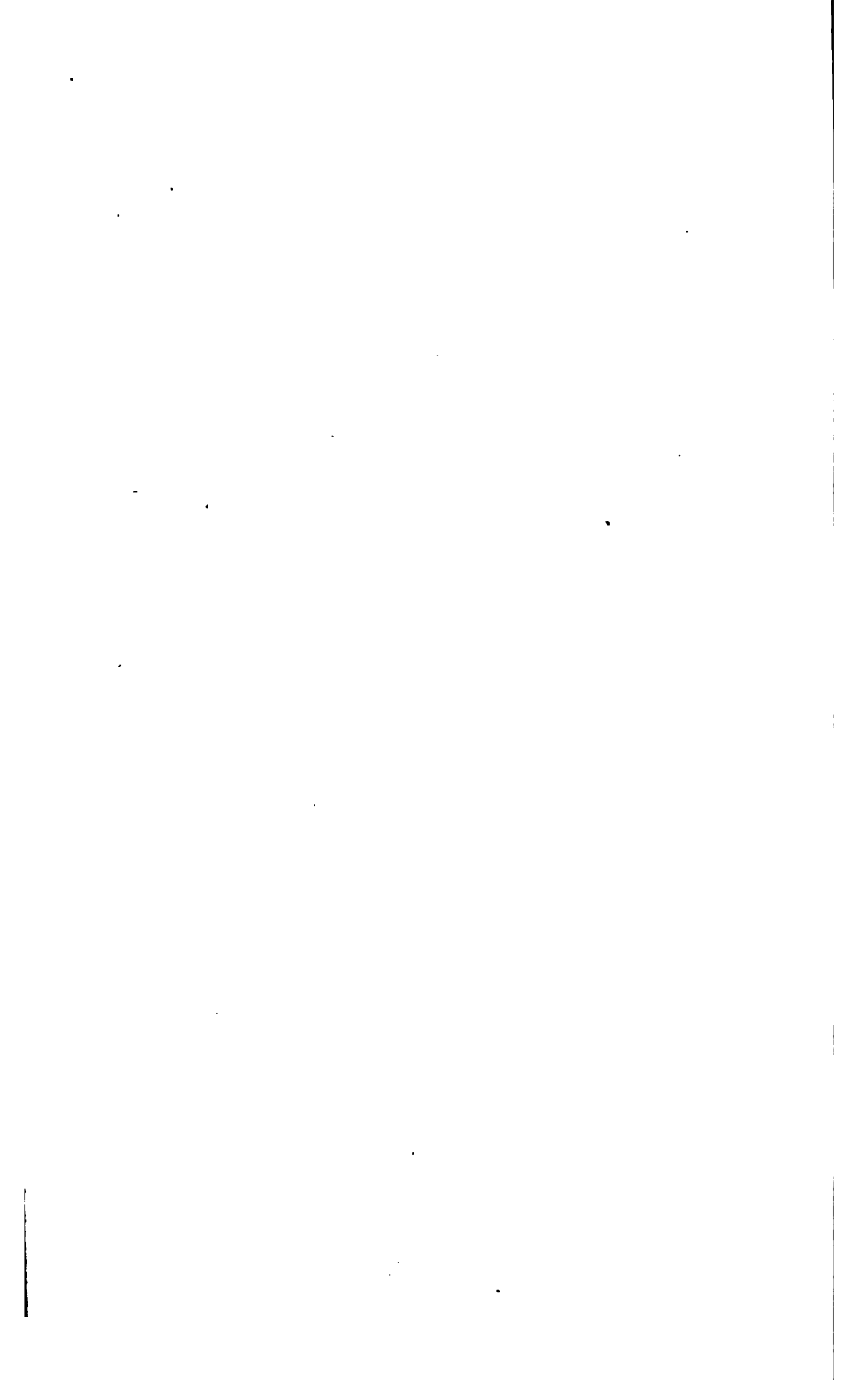
*Resolved*, That the thanks of the Senate be presented to the Hon. James M. Cook, for the able and impartial manner in which he has discharged the duties of president pro tem. of the Senate.

The Senate directed said resolution to be entered in the journal.

A message was received from the Assembly, delivered by Mr. Ford and Mr. L. Ward Smith, informing that they are ready to adjourn.

The Senate then adjourned according to law.





## APPENDIX.

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### PORTRAIT OF CHRISTOPHER COLUMBUS.

On the ninth day of April, the Clerk of the Senate presented the following report—which, on motion of Mr. Cross, was ordered to be entered on the Journal—and is here given as an appendix to the proceedings of that day :

The Clerk of the Senate respectfully reports, that on the second day of March, on motion of Hon. Mr. Babcock, the following resolution was unanimously adopted:

*Resolved*, That the Clerk of the Senate, under the direction of the President, cause the portrait of Columbus, now in the ante-room, to be removed from its present unsafe position, and properly cleaned and hung in the Senate Chamber.

In conformity with the above, and under the direction of the President, the picture was taken from the room where it had for several years been exposed to the heat of the fire place, which had warped and injured it, and sent to Messrs. Williams & Stevens, of New York, for restoration and reframing. These gentlemen, who are distinguished in the metropolis for their good taste, knowledge and skill in the furniture and care of pictures, have executed the task allotted them with great fidelity. Without injury or changing the picture, the few places where, by ill-usage and time, the paint had fallen off, have been fitted—a frame of beauty and such as belongs to an old picture, has been given it—an inscription, appropriate, placed on it—and it is rendered worthy of its position, as one of the principal ornaments of the Senate Chamber.

The inscription is as follows :

### COLUMBUS.

*The gift of Maria Farmer to the Senate of New York, 1784.*

A curious and interesting history attaches to this painting. The official record found on the Journals of the Senate of 1784, shows how it came in possession of the State.

The Journal of that year states—

A letter from Mrs. Maria Farmer, directed to his Honor the President, offering to the acceptance of the Senate an ancient portrait of the celebrated discoverer of America, Christopher Columbus, taken from an original painting 1592, and which had been in her family upwards of 150 years :

*Resolved*, That the Senate do accept, with grateful acknowledgments, the antient and valuable portrait offered by Mrs. Maria Farmer.

When the Capitol was removed from New York in 1797, this picture was left behind, and seems to have been forgotten, in the transfer of the seat of government; and it continued neglected, or abstracted, for many years.

In March 1827, the following entry appears on the Journal:

March 26, 1847.

On motion of Hon. John L. Veile,

*Resolved*, That the Clerk of the Senate cause the portrait of Christopher Columbus, presented to the Senate by Mrs. Maria Farmer, in 1784, to be removed from the city of N. Y., and put up in some suitable place in the Senate Chamber.

Mr. John F. Bacon, then the Clerk of the Senate, in compliance with the orders of this resolution, visited New York, and after considerable search, and through the assistance of the venerable Mr. Skaats, the keeper of the City Hall, found it in the garret of that building. He proved the property of the State in it, and brought it to Albany, when it was placed in the Senate Chamber, which then occupied the present area of the Cloak and Document Room of the

Assembly. When the Senate Chamber was changed, the picture was hung over the fire-place, where it was rapidly going to ruin, when by the resolution of the honorable Senator from the 31st, it was rescued.

Maria Farmer, who gave this portrait to the Senate, was the direct descendant of Jacob Leisler. It appears evident that her family derived this picture from him, as her statement of its having been in the family over an hundred and fifty years, shows.

Leisler is described by Hoffman as the first and only political martyr that ever stained the soil of New-York with his blood. He was the Lieutenant-Governor of the Colony. When a family of Huguenots were about to be sold into redemption slavery for the price of their passage, he interposed and rescued them, and thus gave to New-York its Huguenot population, which has given to our history many names of worth. To this Leisler, the city of New-York owes its Battery ; but the State of New-York, in the value of the example he gave, owes him much more.

He headed the popular party during the struggles in the Colony concerning the House of Orange, and for so doing, as was then consistent with the spirit of the times—being a lover of freedom, and believing in popular rights—he was denounced as a rebel, and died on the scaffold ;—his example being one of the early seeds which, long maturing, yet in after days bore full fruit.

Leisler was a merchant also, and visited Europe, travelling all over its countries. He was a prisoner and met with various adventures. While abroad, he probably procured this portrait, as identified with the New World, where his fortunes were cast. By a singular incident, it has come to be a remembrance of him, which will probably always be associated with his name. The picture does not purport to be an original ; no such has ever been in existence. This accounts for the date, which is after the life of the great discoverer had closed.

The date of 1592 appears in the picture. This was the time when the portrait was made. It has the age of 23 marked on it. History shows that it was just at that age when Columbus made his first sea voyage—a young adventurer. In the back ground of the picture is portrayed the departure of a small vessel. The scene on shore is the grouping of a small seaport town.

The son of Columbus says there was no portrait ever taken of his father, but in describing what he was like, his description is almost identical with the features portrayed in this painting. Even at Genoa, the bust that is there, is made up from the description given by different authors.

The proofs of genuineness, and the facts of a curious and eventful history, cluster around this portrait, with a most interesting and valuable accuracy. Its lineage is far better supported than that of most pictures, presenting like claims, and every research made in respect to it has only confirmed its authenticity.

It seems most fitting that this portrait should at last, cared for and restored, be the ornament of the Senate Chamber of the State, where they first came who brought to the New World the industry, and enterprise, and virtues that belonged to the temperate regions of Europe. Nor is it less so, since, wherever there is a knowledge of correct history, one of our own native citizens has so intertwined his fame with that of the Great Discoverer, that there will henceforth be an enduring association between the names of Columbus and Irving.

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